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Vol. 86

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Monday, May 6, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 6, 1991 - 2:00 p.m.

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May-August
1991

Vol. 86

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Gonzalez, Hallinan, Migden, Shelley, Ward - 6.

Noted absent at first roll call:

Supervisors Alioto, Britt, Hsieh, Kennedy, Maher - 5.

Quorum present.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Britt was noted present at 2:15 p.m.

Supervisor Hsieh was noted present at 2:24 p.m.

Supervisor Kennedy was noted present at 2:13 p.m.

Supervisor Maher was noted present at 2:15 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$109,000, Superior Court, for architectural service, rental of property, data/word processing equipment and services of other departments - Real Estate service, for fiscal year 1990-91. (Controller)

File 101-90-89, Ordinance No. 169-91

Finally passed.

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[Garage Lease Documents]

Ordinance approving and adopting Golden Gateway Parking Garage, at 250 Clay Street, legal documents and authorization to lease. (Department of Real Estate)

File 47-91-5, Ordinance No. 172-91

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$600,000, Department of Social Services, for refugee aid, for fiscal year 1990-91. (Controller)

File 101-90-91, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that Children's Day Treatment Services can be practically performed for the Department of Public Health, Division of Mental Health, Substance Abuse, and Forensic Services by private contractor for lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-91-15, Resolution No. 392-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that janitorial services at the Ferry Building and surrounding areas, the Agricultural Building, the Cruise Ship Terminal and at various Port piers can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Port)

File 25-91-16, Resolution No. 393-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that security services for the Port can be practically performed by private contractor at lower cost than similar work services performed by City and County employees. (Port)

File 25-91-17, Resolution No. 394-91

Monday, May 6, 1991

Adopted.

[Employee Replacement]

Resolution approving immediate filling of vacated position of Classification 7242 Painter Supervisor I, Traffic Operations Division, Curb Painting/Striping Section, Department of Parking and Traffic. (Department of Parking and Traffic)

File 31-91-4, Resolution No. 395-91

Adopted.

Recommendation of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of John L. Larson against Samuel Duca, Assessor of the City and County by payment of \$35,000. (Supervisor Britt)

File 45-91-19, Ordinance No. 171-91

(Superior Court No. 883-717.)

Finally passed.

Recommendation of Economic and Social Policy Committee

Adopted

[Parking Regulations]

Resolution enacting parking regulations on Little Junipero Serra Boulevard. (Supervisor Maher)

File 19-90-17.1, Resolution No. 391-91

(Parking Meter - 4 Hour Limit - Establish

Little Junipero Serra Boulevard (east frontage road), west side, from St. Francis Circle to Monterey Boulevard.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

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REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$3,707,215, Municipal Railway, for payment to other governments, fuel and lubricants, mandatory fringe benefits - Retirement and services of other departments - Workers Compensation, for fiscal year 1990-91. (Controller)

File 101-90-87, Ordinance No. 174-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

[Government Funding]

Ordinance appropriating \$2,173,801, Superior Court, for permanent salaries and related mandatory fringe benefits, fees and other compensation, travel and membership dues and rescinding \$563,830 from permanent salaries, temporary salaries, related mandatory fringe benefits, data processing/word processing professional services, data/word processing equipment maintenance, other services, fixed charges, services of other departments - Juvenile Court, services of other departments - City Mail Services and fees and other compensation, for a salary range adjustment of ten Court Commissioners, subject of previous budgetary denial for fees and other compensation, travel and membership dues; providing for ratification of action previously taken, Superior Court and County Clerk for fiscal year 1990-91. (Controller)

File 101-90-88, Ordinance No. 167-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

[Salaries and Wages]

Ordinance amending Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91), Superior Court, to provide a salary increase for Court

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Commissioners, effective January 1, 1991; companion measure to File 101-90-88. (Civil Service Commission)

File 102-90-19, Ordinance No. 168-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

[Environmental Review Fees]

Ordinance amending the Administrative Code, concerning fees for environmental review procedures; setting operative dates and providing for review and report. (Supervisor Ward)

File 97-91-2, Ordinance No. 173-91

(Adds Section 31.46A.;
Amends Section 31.46.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

[Planning Fees]

Ordinance amending City Planning Code, to impose new fees; and change the amount of fees currently charged relating to Department of City Planning actions including the review of planning authorizations; setting operative dates and providing for review and report. (Supervisor Ward)

File 115-91-1, Ordinance No. 176-91

(Amends Article 3.5;
Adds Article 3.5A, and new Section 364.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

Recommendations of Administration and Oversight Committee

Adopted

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[Appointments]

Resolution appointing members to the Cultural Affairs Task Force.
(Administration and Oversight Committee)

File 92-91-12.1, Resolution No. 411-91

(Public Arts/City Departments

Alice Lowe
Thelma Shelley

Large Budget Private

Keith Eickman
Joyce A. Moffatt
Jerry Allen

Mid-Size Budget

Marie Acosta-Colon
Herb Felsenfeld
Miriam Abrams

Small-Size Budget

Christina M. Augello
Idris Ackamoor
Woodrow T. Ichiyasu
Mark E. Rennie

Individual Artists

Rudy Lemcke
Alleluia Panis
Jon Jang
Genny Lim

Private Industry

Gerald P. Gutenstein)

Supervisor Hallinan stated that on the Immediate Adoption Calendar is an item which would amend the Cultural Affairs Task Force, by expanding its membership to include seven at-large positions, and by clarifying the procedure for appointing members to the task force who are representatives of board members. (See infra.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to rerefer the pending resolution to Committee.

Motion to rerefer to Committee refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Kennedy, Ward - 4.

Noes: Supervisors Achtenberg, Alioto, Britt, Hsieh, Maher, Migden, Shelley - 7.

The roll was then called on the pending resolution and it was adopted by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Appointment]

Resolution appointing member to the Cultural Affairs Task Force.
(Administration and Oversight Committee)

File 92-91-12.2, Resolution No. 412-91

(Arts Related Labor Union
Shirley Breyer Black)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Mandatory Use of Non-potable Water]

Ordinance amending Public Works Code, restricting the use of potable water for soil compaction or dust control activities and providing penalties and remedies for failure to comply with the provisions of Article 21; adopting findings regarding the effects of drought and the necessity to restrict the use of potable water for soil compaction and dust control activities. (Supervisors Migden, Britt, Shelley, Maher, Achtenberg, Alioto, Ward)

File 114-91-3, Ordinance No. 175-91

(Adds Article 21, Sections 1100-1107.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Britt assumed the Chair.

Passed for Second Reading as Amended

[Water Conservation]

Ordinance amending Housing Code, to establish water conservation measures for existing residential buildings upon title transfer, major improvement, metering conversion, residential condominium conversion, or complete inspection and requiring compliance of

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certain multiple-family residential buildings within three years.
(Supervisor Migden)

File 114-91-5, Ordinance No.

(Adds Chapter 12A.)

Supervisor Migden, seconded by Supervisor Alioto, moved an amendment of the whole bearing same title.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Supervisor Migden, seconded by Supervisor Gonzalez, moved to amend page five, line 25, after the word "affidavit" by inserting "signed by the owner".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

The roll was then called on the amendment of the whole, as further amended, and it was passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating \$700,000, Department of Social Services, for adoption aid, for fiscal year 1990-91. (Controller)

File 101-90-92, Ordinance No.

Passed for second reading by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Government Funding]

Ordinance appropriating \$6,100,000, Department of Public Works - Clean Water Program, for capital improvement project (Islais Creek Transport), for fiscal year 1990-91; placing \$5,539,000 on reserve. (Controller)

File 101-90-93, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Government Funding]

Ordinance appropriating \$74,576,242, Department of Public Works - Clean Water Program, for capital improvement project (Oceanside Water Pollution Control Plant), rescinding \$54,743,128 from 1988 Sewer Revenue Bond, for fiscal year 1990-91; and placing \$600,000 on reserve. (Controller)

File 101-90-94, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Ellis-O'Farrell Public Parking Garage 1991 Lease]

Ordinance approving and authorizing the execution and delivery of an Ellis-O'Farrell Public Parking Garage 1991 Lease, approving the issuance of the City of San Francisco Ellis-O'Farrell Parking Corporation Bonds, Series 1991; and authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such bonds, all in connection with the financing of seismic retrofit improvements and the expansion of the Ellis-O'Farrell Parking Garage. (Department of Parking and Traffic)

File 47-91-6, Ordinance No.

Passed for second reading by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

The President reassumed the Chair.

[Health Service System Plans and Rates]
Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution, as adopted by the Health Service Board. (Health Service System)

File 97-91-29, Ordinance No.

(Amends Section 16.157.)

(This item requires nine votes for passage, pursuant to Charter Section 8.423.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[BBI Schedule]
Ordinance amending Building Code, to increase Bureau of Building Inspection fees. (Department of Public Works)

File 114-91-4, Ordinance No.

(Amends Sections 330.1, 330.2, 330.3, 331, 332, 332.1, 332.2, 332.3, 332.4, 332.5, 333.1, 333.2 and 333.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Grant - State Funds]
Resolution authorizing the Department of Health, Community Public Health Services, Family Health Bureau to accept and expend an augmentation of \$13,950 to a grant from the State Department of Health Services, Maternal Child Health Branch for perinatal services for the residents of San Francisco. (Department of Public Health)

File 146-91-33, Resolution No. 396-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

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[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a supplemental award of \$936,113 from the Department of Health and Human Services, Centers for Disease Control, to augment the AIDS Prevention Project; placing \$2,000 on reserve. (Department of Public Health)

File 146-91-34, Resolution No. 397-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant - Federal Funds]

Resolution authorizing the Public Library to apply for Federal funds not to exceed \$125,000, available through the Library Services and Construction Act, Title V, for the acquisition of foreign language materials. (Public Library)

File 147-91-3, Resolution No. 398-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Grant - Federal Funds]

Resolution authorizing the Director of Public Works to apply for, accept and expend Federal funds in the amount of \$40,430,000 from the Federal Highway Administration for right of way acquisition and for construction of The Embarcadero Roadway Project. (Department of Public Works)

File 148-91-7, Resolution No. 399-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Bond Sale]

Resolution authorizing and directing the sale of City and County of San Francisco \$6,500,000 principal amount of General Obligation Bonds (Public Safety Improvement Project, 1989), Series 1991D, \$29,000,000 principal amount of General Obligation Bonds, (Various Purpose Projects), Series 1991E; \$26,500,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1990), Series 1991F and \$6,000,000 principal amount of General Obligation Bonds (Library Facilities Project), Series 1991G; prescribing the

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terms and form of said bonds; approving forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of sale and notice of intention to sell bonds; approving the official statement relating thereto; consenting to submission of bids by co-financial advisors and authorizing the execution of necessary documents. (City Attorney)

File 170-91-1, Resolution No. 385-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Zoning Changes]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 2900 Fulton Street and 2908-14 Fulton Streets, Lots 17 and 19, Assessor's Block 1648 from an RM-3 (Mixed Residential-Medium Density) District to an NC-1 (Neighborhood Commercial Cluster) District and adopting findings pursuant to Section 101.1. (Department of City Planning)

File 36-91-1, Ordinance No.

(Approved by City Planning Commission Resolution No. 13024.)
(General Rule Exclusion from Environmental Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Human Rights Commission Advisory Committees]

Ordinance amending Administrative Code, to find that the inclusion on the Advisory Council on Human Rights and Advisory Committees created by the Human Rights Commission of owners, officers, and employees of women, minority and local business enterprises promotes the purpose of human rights activities and to find that such owners, officers and employees are tantamount to the public generally. (Supervisor Kennedy)

File 97-91-20, Ordinance No.

(Amends Section 12A.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

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Adopted

[Annual Report]

Resolution accepting the Human Rights Commission's Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance II Report with recommendations. (Supervisors Kennedy, Migden)

File 284-90-1, Resolution No. 400-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Consideration Continued

[Rent Ordinance]

Ordinance amending Administrative Code, to clarify that the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit includes damages for mental and emotional distress and that this definition is the one that the Board of Supervisors had intended in enacting Section 37.9(e) of this chapter in 1982. (Supervisors Achtenberg, Migden)

File 109-91-1, Ordinance No.

(Amends Section 37.9.)

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to continue consideration to May 20, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as Amended

[State Legislation]

Resolution supporting SB 210 which would increase tolls on the Bay Bridge, San Mateo, Dumbarton Bridges and would allocate funds to regional transit agencies ((and suggesting that legislation be amended to devote all revenues raised to transit projects rather than reserving a portion for highway purposes)). (Supervisors Britt, Achtenberg)

File 12-91-15, Resolution No. 390-91

Supervisor Hallinan, seconded by Supervisor Britt, moved to amend title, lines three through five, by deleting "and suggesting that legislation be amended to devote all revenues raised to transit projects rather than reserving a portion for highway purposes" and amend beginning with line 18, starting with "but request" and ending with "legislation" on line 24.

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Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Newspaper Carriers]

Resolution urging the San Francisco Newspaper Agency to continue its Youth Carrier Employment Program. (Supervisors Migden, Shelley, Maher, Alioto)

File 194-91-1, Resolution No. 413-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

From the Clerk

Adopted

[Condominium Project]

Motion approving final map of 3542 - 17th Street, a condominium project, being a resubdivision of Lot 18 in Assessor's Block 3567; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-16

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

At the request of the President, Supervisor Kennedy assumed the Chair.

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SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons interested in or objecting to report of delinquent charges for failure to maintain daily logs and for failure to post materials as required submitted by the Superintendent of the Bureau of Building Inspection, as modified to the date of adoption of this resolution and creating special assessments and liens based thereon.

File 113-91-1

The privilege of the floor was granted to the following persons:

Peter Burns, representing Department of Public Works,
Bureau of Building Inspection;
Art Groza, representing Michael Tsang;
Tsndy Shaw, Tenderloin Housing;
Virginia Conway;
Dehnert Queen.

From Department of Public Works

Adopted as Amended

[Residential Hotel Conversion Ordinance]

Resolution confirming report of delinquent charges for failure to maintain daily logs and for failure to post materials as required submitted by the Superintendent of the Bureau of Building Inspection, as modified to the date of adoption of this resolution and creating special assessments and liens based thereon.

File 113-91-1, Resolution No. 401-91

(Property

580 O'Farrell Street \$9,250.00.)

Supervisor Hsieh, seconded by Supervisor Alioto, moved to amend the report by reducing the amount to \$500.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Alioto, Hsieh - 2.

Noes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Migden - 6.

Absent: Supervisors Britt, Shelley, Ward - 3.

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Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend the report to reduce the amount from "\$9,250" to "\$1,250" and amend the resolution on line 10 after "modified" by inserting "in Board on 5/6/91".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Noes: Supervisors Achtenberg, Britt, Migden - 3.

Absent: Supervisors Shelley, Ward - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher - 6.

Noes: Supervisors Achtenberg, Britt, Migden - 3.

Absent: Supervisors Shelley, Ward - 2.

The President reassumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Connie Arnold;
Ron Davis;
Peter Mendoza;
Dehnert Queen;
Edith McMillan;
Joe O'Donaghue.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Maher requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

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Referred to Committee

[Cultural Affairs Task Force]

Resolution amending Resolution No. 229-91, establishing a Cultural Affairs Task Force, by expanding its membership to include seven at-large positions, and by clarifying the procedure for appointing members to the task force who are representatives of board members. (Supervisor Hallinan)

File 174-91-3, Resolution No.

At the request of Supervisor Maher, referred to Finance Committee.

Supervisor Hallinan requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Referred to Committee

[Management Audit]

Motion directing the Budget Analyst to prepare management audit of the San Francisco Redevelopment Agency. (Supervisor Maher)

File 165-91-4

At the request of Supervisor Hallinan, referred to Finance Committee with direction it be considered at the May 15, 1991 meeting.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-18, Resolution No. 386-91

(Roberta Achtenberg, member, Board of Supervisors, May 13 - 14; Tom Hsieh, member, Board of Supervisors, May 10 - 22; Susan Bierman, member, City Planning Commission, May 13 - 22; Arnold Chin, member, Parking Commission, May 1 - 5; Thomas Elzey, General Manager, Public Utilities Commission, April 29 - May 3; Leonard Graff, member, Human Rights Commission, June 6 - 13; Stanley Herzstein, member, Commission on the Aging, May 10 - June 7; David Neely, Vice President, Social Services Commission, April 30 - May 4 and June 3 - 7; Eddie Powell, member, Film and Video

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Arts Commission, April 23 - 27; Louise Renne, City Attorney, April 20 - 26; Arthur Toupin, member, Public Utilities Commission, May 24 - 30, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Street Closing]

Resolution authorizing temporary closing of a portion of Laguna Street, between Geary Street and Cleary Court, on Saturday, May 18, 1991, from 10:00 a.m. to 2:30 p.m. for rally at the Chinese Consulate by Tibet Support Coalition; waiving the requirement that sponsor provide insurance.

File 42-91-18, Resolution No. 387-91

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Gold, Hotaling and Jackson Streets, on Monday, May 13, 1991, at various times for filming of movie "Final Analysis" by Warner Brothers.

File 42-91-19, Resolution No. 388-91

Supervisor Ward presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Called from Committee

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[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Janice Wong against the City and county by payment of \$10,000.

File 45-91-15

Called from Administration and Oversight Committee by Supervisor Hallinan with direction to schedule for Board meeting of May 13, 1991.

Referred to Committee

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Thomas F. Eden, et al., against the City and County by payment of \$165,000.

(Supervisor Hallinan presented on behalf of the City Attorney.)

Referred to Administration and Oversight Committee with request it be considered at the May 14, 1991 meeting.

File 45-91-26

[Memberships in Organizations]

Ordinance amending Administrative Code by amending Section 16.6, establishing procedures for the membership of City and County boards, commissions and departments in certain organizations, by requiring City boards, commissions and department heads to submit annual reports of memberships to the Mayor, the Controller and the Board of Supervisors by May 1 of each year. (Supervisor Shelley presented.) Referred to Finance Committee.

File 97-91-32

[Fees]

Ordinance amending Police Code by amending Section 2404.2 to increase the fee for a street artist certificate. (Supervisor Hallinan presented on behalf of the Art Commission.) Referred to Finance Committee.

File 121-91-1

[Telephone Signaling Devices - Minors]

Ordinance amending Police Code by adding Section 558 to prohibit the sale and possession of telephone signaling devices by minors.

(Supervisor Gonzalez presented.) Referred to City Services Committee.

File 121-91-2

[Federal Funds]

Resolution approving an expenditure plan for Refugee Employment Social Services and Refugee Targeted Assistance Funds. (Supervisor Gonzalez presented.) Referred to Finance Committee.

Monday, May 6, 1991

File 156-91-2

[Water Reclamation, Groundwater]

Resolution urging the Mayor to urge the Public Utilities Commission and Department of Public Works to develop effective wastewater reclamation, conjunctive use and groundwater management plans throughout the service area of the San Francisco Water Department and to begin discussions with neighboring communities regarding effective management of the Lake Merced groundwater aquifer; and to urge the cooperation of the Recreation and Park Department and the San Francisco Fire Department in minimizing the use of potable water for irrigation and firefighting purposes. (Supervisors Achtenberg and Maher presented.) Referred to Economic and Social Policy Committee.

File 188-91-9

Referred to Board

[Earthquake Emergency Relief Fund]

Resolution approving expenditure of \$250,000 from the Mayor's Earthquake Emergency Relief Fund to provide contingency funds for the construction of the retaining structure between Seventh and Eighth Avenue, and Moraga and Ortega Streets, to stabilize the slope following its failure during the October 1989 earthquake. (Supervisor Shelley presented.) Referred to Board May 13, 1991 Immediate Adoption Calendar.

File 270-91-2

Requests for Hearings

File 174-91-3.1, By Supervisor Maher: To consider amending the membership of the Cultural Affairs Task Force to allow each member of the Board of Supervisors to serve on the task force or to appoint a representative to the task force. Referred to Finance Committee.

File 189-91-2, By Supervisor Shelley: To consider discussions between citizens and City staff regarding proposals for improving delivery of services by City Planning Department including the department's policies in providing services. Referred to Finance Committee with request it be considered at the May 8, 1991 meeting.

File 222-91-1, By Supervisor Kennedy: To consider Civil Service Commission's policy relating to job analysis, announcement and distribution of applications. Referred to City Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

Monday, May 6, 1991

By Supervisor Ward, that letter be sent to Executive Director, Department of Parking and Traffic, in reference to an earlier request that parking meters be placed on Washington Street, between Drumm and Battery Streets and requesting response from the department.

By Supervisor Gonzalez, that letter be sent to Director of Public Works inquiring whether he will carry out the Department's commitment to the Mission Merchants Association to do the resurfacing of Mission Street in January, 1992, and not in mid August through November, 1991.

By Supervisor Hsieh, that City Attorney review material submitted concerning possible conflict of interest between Bradford Paul, Mayor's Office of Housing and the Arts Space Development Corporation.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Department of Parking and Traffic, to determine the feasibility of changing the 24 hour "bus only" diamond lanes on Sutter and Post Streets to allow vehicular use during the normal rush hours from 7-9 a.m. and 4-6 p.m., Monday through Friday.

By Supervisor Kennedy, that letter of inquiry be sent to the Public Utilities Commission to determine the feasibility of using Municipal Railway buses instead of the N Judah trolley coaches during the hours of 10:30 p.m. through 6:30 a.m.

By Supervisor Kennedy, that letter be sent to Executive Director, San Francisco Redevelopment Agency relative to a communication from one of its commissioners dated April 1, 1991, in which he stated under "Small Business Development", "I don't think that we can have much success in starting new non-white businesses. I would limit our focus to helping existing businesses expand." The Supervisor is concerned about the implications of such statement in that minorities are non-white. She felt these remarks should never have been made and protests this type of conduct by any member of the commission.

By Supervisor Migden, that letter of inquiry be sent to Chief of Police to ascertain the status of current efforts to control drug dealings in and around 115 Frederick Street at Delmar.

Referred to Committee

[Ballot Measure]

Motion ordering submission of an ordinance establishing a tax on the privilege of selling at retail within the City and County aerosol paint containers, containers of any other marking substance, felt tip markers or any other marking instruments and requiring the City and County to expend tax revenue for purposes of the removal and prevention of graffiti or for educational programs for at-risk youth to combat graffiti vandalism in all its forms and requiring that the ordinance be repealed no later than five years after its effective date. (Supervisor Kennedy presented.) Referred to Administration and Oversight Committee.

File 213-91-1

Monday, May 6, 1991

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John M. Blanchard, Jr. (By the entire Board)
Carmine Coppola (Supervisor Alioto)
Marc Gibson (Supervisors Ward, Britt, Gonzalez)
Samuel A. Ladar (Supervisors Hallinan, Maher)
William Simmons (Supervisor Ward)
Mary B. Walsh (Supervisor Gonzalez)
Yin Doon Wong (Supervisor Hsieh)

File 2-91-18

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:41 p.m. adjourned.

Mary Anne Bulen, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, May 6, 1991

Approved by the Board of Supervisors on February 10, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, May 13, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 13, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Hallinan, Maher, Migden, Shelley, Ward - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy - 5.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Britt was noted present at 2:20 p.m.

Supervisor Gonzalez was noted present at 2:15 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

Presentation of Guest

Supervisor Ward introduced and welcomed the Honorable John Stroger, Commissioner, Cook County, Illinois and Vice President, National Association of Counties.

COMMUNICATION

The Clerk presented the following communication from his Honor, the Mayor, returning with his veto the Salary Standardization Ordinance:

Monday, May 13, 1991

Honorable Doris Ward
President
Board of Supervisors
235 City Hall
San Francisco, California 94102

Dear Supervisor Ward:

I am returning with my veto the Salary Standardization Ordinance for Fiscal Year 1991-92 (File No. 106-91-1.)

Regrettably, with San Francisco facing an estimated budget shortfall of \$135.6 million next year, we simply cannot afford to give city workers a pay raise costing \$72 million.

The continuing recession and the drought have seriously impacted San Francisco's revenue generating capacity and necessitate a cautious approach to spending.

Even with this veto, we still must make up some \$70 million through spending cuts and tax increases. In doing so I have instructed my budget staff to protect city services and focus their attention on administrative costs.

However, granting city workers a pay raise next year would require a massive reduction in city services in order to balance the budget, which I am unwilling to do.

The SSO would also cost the Unified School District and the Community College Districts more than \$3 million. With the public schools already contemplating the layoff of 400 teachers, the SSO would only exacerbate their fiscal burden.

Further uncertainty about San Francisco's fiscal future comes from the state budget, which faces a shortfall of \$13 billion. Proposals to balance the state budget involve more than \$150 million in funds currently received by San Francisco, any of which could be jeopardized next year.

Although freezing salaries is a necessary step to protect the fiscal integrity of our city, it is an unpleasant one. City employees are hard working, productive and integral to our ability to deliver the level of service San Franciscans have come to expect.

While San Francisco employees have had their wages frozen twice since 1980, they have fared better than their state counterparts. State employees have had five pay freezes since 1980, and, in addition to a wage freeze this year, face significant benefit reductions and a substantial number of layoffs.

Reform of our city salary system must be part of our long-term strategy of maintaining the city's fiscal health. While our current discussions with employee organizations have not produced a definitive agreement, we have moved closer together in recognizing the need for long-term change.

Monday, May 13, 1991

The unions and the city both have, as an element of their latest positions, some form of collective bargaining. Over the next few weeks, we will continue to endeavor to come to an agreement which solves our long-term problem.

I wish to thank the Board, and Supervisors Jim Gonzalez and Kevin Shelley in particular, for helping to maintain a climate of civility during the course of our negotiations.

Our employee relations team, led by Deputy Mayor Claude Everhart and Employee Relations Director Maggie Jacobsen, have spent hundreds of hours meeting with unions trying to reach agreement.

I salute them, and the city's employee unions, for their sincere effort to try to find a solution in the best interest of the public and our workers.

Formally, both sides have agreed to declare an impasse, and will continue negotiations with the help of a mediator. I remain confident that an agreement can be reached.

Sincerely,

/s/Art Agnos

Consideration Continued

[Annual Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991.

File 106-91-1, Ordinance No.

The Clerk informed the Board that Rule 2.9a of the Rules of Order of the Board provides that when the Mayor returns legislation to the Board in accordance with the provisions of Charter Sections 2.302 or 2.303 the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is read to the Board.

Thereupon, the President directed it be continued to May 20, 1991.

CONSENT CALENDAR

Recommendations of Finance Committee

Monday, May 13, 1991

Finally Passed

[Government Funding]

Ordinance appropriating \$600,000, Department of Social Services, for refugee aid, for fiscal year 1990-91. (Controller)

File 101-90-91, Ordinance No. 181-91

Finally passed.

[Government Funding]

Ordinance appropriating \$700,000, Department of Social Services, for adoption aid, for fiscal year 1990-91. (Controller)

File 101-90-92, Ordinance No. 182-91

Finally passed.

[Government Funding]

Ordinance appropriating \$6,100,000, Department of Public Works - Clean Water Program, for capital improvement project (Islais Creek Transport), for fiscal year 1990-91; placing \$5,539,000 on reserve. (Controller)

File 101-90-93, Ordinance No. 183-91

Finally passed.

[Government Funding]

Ordinance appropriating \$74,576,242, Department of Public Works - Clean Water Program, for capital improvement project (Oceanside Water Pollution Control Plant), rescinding \$54,743,128 from 1988 Sewer Revenue Bond, for fiscal year 1990-91; and placing \$600,000 on reserve. (Controller)

File 101-90-94, Ordinance No. 177-91

Finally passed.

[Ellis-O'Farrell Public Parking Garage 1991 Lease]

Ordinance approving and authorizing the execution and delivery of an Ellis-O'Farrell Public Parking Garage 1991 Lease, approving the issuance of the City of San Francisco Ellis-O'Farrell Parking Corporation Bonds, Series 1991; and authorizing and ratifying the execution and delivery of documents reasonably necessary for the issuance, sale and delivery of such bonds, all in connection with the financing of seismic retrofit improvements and the expansion of the Ellis-O'Farrell Parking Garage. (Department of Parking and Traffic)

Monday, May 13, 1991

File 47-91-6, Ordinance No. 179-91

Finally passed.

[BBI Schedule]

Ordinance amending Building Code, to increase Bureau of Building Inspection fees. (Department of Public Works)

File 114-91-4, Ordinance No. 184-91

(Amends Sections 330.1, 330.2, 330.3, 331, 332, 332.1, 332.2, 332.3, 332.4, 332.5, 333.1, 333.2 and 333.3.)

Finally passed.

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that intake and shelter services to status offenders for the Juvenile Probation Department can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department)

File 25-91-18, Resolution No. 407-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that security guard services for the Purchasing Department, Central Shops can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchasing Department)

File 25-91-19, Resolution No. 408-91

Adopted.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Zoning Changes]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 2900 Fulton Street and 2908-14 Fulton Streets, Lots 17 and 19, Assessor's Block 1648 from an RM-3 (Mixed Residential-Medium Density) District to an NC-1 (Neighborhood Commercial Cluster) District and adopting findings pursuant to Section 101.1. (Department of City Planning)

Monday, May 13, 1991

File 36-91-1, Ordinance No. 178-91

(Approved by City Planning Commission Resolution No. 13024.)
(General Rule Exclusion from Environmental Review.)

Finally passed.

[Human Rights Commission Advisory Committees]
Ordinance amending Administrative Code, to find that the inclusion on the Advisory Council on Human Rights and Advisory Committees created by the Human Rights Commission of owners, officers, and employees of women, minority and local business enterprises promotes the purpose of human rights activities and to find that such owners, officers and employees are tantamount to the public generally.
(Supervisor Kennedy)

File 97-91-20, Ordinance No. 180-91

(Amends Section 12A.6.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Finance Committee

Consideration Continued

[Health Service System Plans and Rates]
Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution, as adopted by the Health Service Board. (Health Service System)

File 97-91-29, Ordinance No.

(Amends Section 16.157.)

(This item requires nine votes for passage, pursuant to Charter Section 8.423.)

Monday, May 13, 1991

Supervisor Britt, seconded by Supervisor Maher, moved to continue consideration to May 20, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Water Conservation]

Ordinance amending Housing Code, to establish water conservation measures for existing residential buildings upon title transfer, major improvement, metering conversion, residential condominium conversion, or complete inspection and requiring compliance of certain multiple-family residential buildings within three years. (Supervisor Migden)

File 114-91-5, Ordinance No. 185-91

(Adds Chapter 12A.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Ward - 4.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$957,036, Hetch Hetchy, for legal services and non-work order services of other departments-City Attorney-legal services and rescinding \$957,036 from capital improvement project (Moccasin Shop Buildings), for fiscal year 1990-91; providing for ratification of action previously taken. (Controller)

File 101-90-90, Ordinance No.

Monday, May 13, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Ward - 4.

[Camp Mather Store Lease]

Ordinance approving a five-year lease with Charles Cran, dba Strawberry Music, Inc., for establishing and operating a camp store concession at Camp Mather, Tuolumne County, California. (Recreation and Park Department)

File 62-91-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Ward - 4.

[Grant Application]

Ordinance amending Administrative Code, which establishes the procedures used by the Board of Supervisors in considering and approving applications for grants by City officers, employees, boards or commissions, by requiring that all resolutions authorizing applications for grants indicate rates of reimbursement of indirect costs or the reasons why the recovery of indirect costs cannot be included in the application, and by amending the procedures used to expedite Board authorization of the filing of applications for grants by departments of the City. (Supervisor Migden)

File 97-91-28, Ordinance No.

(Amends Section 10.170.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Ward - 4.

Adopted

[Emergency Expenditure]

Resolution approving emergency expenditure of \$487,000 for design and construction of an emergency connection between the State's South Bay Aqueduct and San Francisco Water Department facilities near Sunol. (Public Utilities Commission)

File 28-91-5, Resolution No. 409-91

Monday, May 13, 1991

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Ward - 4.

Recommendations of City Services Committee

Passed for Second Reading

[Hazardous Materials]

Ordinance amending Health Code, to require plans for reducing the use of hazardous materials and the generation of hazardous waste to be submitted as part of an establishment's hazardous materials permit. (Supervisors Kennedy, Alioto, Hsieh)

File 118-91-2, Ordinance No.

(Amends Section 1120.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Ward - 4.

The President reassumed the Chair.

Adopted as Amended

[AIDS Drug Approval]

Resolution urging the State to move faster to approve drugs through the State's Food and Drug Branch (FDB) Program, urging the FDB to have an active clinical research evaluation program, urging legislation to provide incentives for the approval of effective and inexpensive drugs, encouraging the continuation of the provision of AZT and pentamidine at reasonable prices through the AIDS Drug Program, encouraging the AIDS Drug Program to expand its list of covered medications, urging the AIDS Drug Program to reorganize its drug distribution program and review its co-payment and waiver requirements and procedures, and urging the Mayor to direct the City's lobbyist to work with the San Francisco legislative delegation in Sacramento to take all actions necessary and appropriate to carry out the intent of this resolution. (Supervisors Alioto, Achtenberg, Hsieh, Britt, Migden)

File 12-91-18, Resolution No. 406-91

Supervisor Alioto, seconded by Supervisor Migden, moved an amendment of the whole bearing same title as above.

Monday, May 13, 1991

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading

[MBE/WBE/LBE - Prime Contracts]

Ordinance amending Administrative Code, relating to the procurement of goods and services and the award of public contracts by the City and County from minority business enterprises, women business enterprises, and local businesses. (Supervisors Kennedy, Migden)

File 97-90-51, Ordinance No.

(Amends Sections 12D.5, 12D.6, 12D.8, 12D.11, 12D.13, 12D.15, 12D.16, 12D.17, 12D.18;
Adds Section 12D.19.)

Supervisor Shelley, seconded by Supervisor Gonzalez, moved to continue consideration to May 20, 1991.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Maher, Shelley - 4.

Noes: Supervisors Alioto, Britt, Migden, Ward - 4.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisor Maher - 1.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

Called from Administration and Oversight Committee
by Supervisor Hallinan

Monday, May 13, 1991

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Janice Wong against the City and County by payment of \$10,000. (City Attorney)

File 45-91-15, Ordinance No.

(Superior Court No. 917-834.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisor Maher - 1.

Absent: Supervisors Achtenberg, Hsieh, Kennedy - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Don Bertone;
Ace Washington;
Deborah Anita.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Earthquake Emergency Relief Fund]

Resolution approving expenditure of \$250,000 from the Mayor's Earthquake Emergency Relief Fund to provide contingency funds for the construction of the retaining structure between Seventh and Eighth Avenue, and Moraga and Ortega Streets, to stabilize the slope following its failure during the October 1989 earthquake. (Supervisor Shelley)

File 270-91-2, Resolution No. 410-91

(May 6, 1991 - Introduced in Board for consideration on May 13, 1991.)

Adopted.

Monday, May 13, 1991

The foregoing item on the For Adoption Without Committee Reference Calendar was acted upon by the following vote:

Ayes: Supervisors Alioto, Hallinan, Maher, Migden, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Hallinan requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Consideration Continued

[1981 Hunger Strike Memorial]

Resolution urging the Mayor of San Francisco to proclaim May 24 and 25 Memorial Days in honor of the Irish Hunger Strikers who died ten years ago in the name of Irish Freedom. (Supervisors Hallinan, Shelley)

File 4-91-16, Resolution No.

Supervisor Hallinan presented substitute legislation, bearing same title, which corrected some misspelled names and requested it be placed on the May 20, 1991 For Adoption Without Committee Reference Calendar.

No objection and Clerk directed to comply.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

Monday, May 13, 1991

File 1-91-19, Resolution No. 403-91

(Phillip Armour, member Commission on the Aging, April 26-May 2; Amalia Mesa-Bains, member, Arts Commission, April 24-30; Edward Chow, member, Health Commission May 9-12; Kenneth Dowlin, City Librarian, May 8-9, June 2-3, June 22-26 and June 27-July 2; Thomas Elzey, General Manager, Public Utilities Commission, April 15-17; Pius Lee, member, Police Commission, April 28-May 7; Patrick Murphy, Vice President, Airports Commission, May 2-4; Harry Parker, III, Director, Fine Arts Museums, June 2-5; Barbara Sklar, President Arts Commission, May 8-15; George Yamasaki, Jr., member, Social Services Commission May 28-31, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of 23rd Street, for a "Memorial Day Weekend" block party. (Supervisor Alioto)

File 42-91-20, Resolution No. 403-91

(23rd Street, between Castro and Diamond Streets, on Monday, May 27, 1991, from 9:00 a.m. to 6:00 p.m.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Polk Street; for the Eighth International AIDS Candlelight Memorial, sponsored by Mobilization Against AIDS; and providing for insurance. (Supervisor Migden)

File 42-91-21, Resolution No. 404-91

(Polk Street, between Grove and McAllister Streets, on Sunday, May 19, 1991, from 5:00 p.m. to 11:00 p.m.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the Calendar.)

[Gasoline Service Station]

Resolution extending to June 14, 1991 the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to control the conversion of properties containing a gasoline service station to other uses.

File 115-91-4.1, Resolution No. 405-91

Supervisor Hallinan presented for immediate adoption.

Monday, May 13, 1991

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Maher, Migden, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Hsieh, Kennedy - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$266,500, Chief Administrative Officer, for professional services (marketing consultant) and other contractual services (Neighborhood Beautification Graffiti Clean-up Fund). (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 101-90-107

[Fees, Registrar of Voters]

Ordinance amending Administrative Code by amending Section 8.22 relating to fees charged by the Registrar of Voters. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 97-91-33

[Rent]

Draft ordinance amending Administrative Code by amending Section 37.3 to establish limitations on initial rents for rental units and create a procedure for verification of initial rents and by amending Sections 37.7, 37.8, 37.10A and 37.11A to provide for arbitration of initial rents, expand factors to be considered by hearing officers, create a new criminal penalty and enlarge the scope of civil actions. (Supervisors Ward, Alioto, Migden, Achtenberg, Shelley presented.) Referred to Economic and Social Policy Committee.

File 109-91-2

[Cigarette Vending Machines]

Ordinance amending Health Code by adding Article 19D prohibiting the placement of cigarette vending machines in the City and County of San Francisco except in places to which minors have no access. (Supervisor Alioto presented.) Referred to City Services Committee.

File 118-91-5

Monday, May 13, 1991

[Ballot Measure]

Charter amendment (First Draft) amending Section 3.530-3 relating to the reclassification and status of housing police officers. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 190-91-1

[Youth Arts Fund]

Resolution authorizing expenditures of \$65,000 by the Art Commission from the Youth Arts Fund for various projects (Youth Arts Festival, Masks Project, Artist in Residence Program, Neighborhood Youth Arts Projects). (Supervisor Hallinan presented.) Referred to Finance Committee with request it be considered at the May 15, 1991 meeting.

File 132-91-4

[Market Street Arts Maintenance Fund]

Resolution authorizing expenditures of \$50,000 by the Art Commission from the Market Street Arts Maintenance Fund for various projects (maintenance of historic monuments and transit shelter art program). (Supervisor Hallinan presented.) Referred to Finance Committee with request it be considered at the May 15, 1991 meeting.

File 132-91-5

Requests for Hearings

File 173-91-3, By Supervisor Gonzalez: To consider the results of the Port of San Francisco's strategic plan process and recommendations including proposed raises and layoffs of 14 employees. Referred to Administration and Oversight Committee.

File 215-91-1, By Supervisor Gonzalez: To consider feasibility of instituting a work furlough program among City employees, in order to help balance the fiscal year 1991-92 budget and reduce the projected \$136 million revenue shortfall, as an alternative to wage freezes. Referred to Finance Committee.

Motion

Referred to Board

[Management Audit]

Motion directing the Budget Analyst to prepare management audit of the San Francisco Redevelopment Agency. (Supervisor Maher presented.) Referred to Board May 20, 1991 For Adoption Without Committee Reference Calendar.

File 165-91-4.1.

Monday, May 13, 1991

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Alioto and Gonzalez, that letter of inquiry be sent to the Board of Education to determine the reasons for selecting Balboa High School for closure, whether other alternatives were studied, what enrollment trends are for the school and for the district and what community process was included in the plan for closing.

By Supervisor Gonzalez, that City Attorney prepare ordinance to amend the Administrative Code to provide some relief for rental property owners who are affected by the recent residential water conservation ordinance.

By Supervisor Gonzalez, that City Attorney prepare ordinance which would provide for preservation of heritage trees.

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation indicating the Board of Supervisors support of proposed Federal legislation that would promote free trade in the international ship construction and repair market (Shipbuilding and Repair Industry Free Trade Act of 1991).

By Supervisor Gonzalez, that City Attorney prepare appropriate legislation indicating the Board of Supervisors opposition to proposed State legislation (SB 1X and SB 29) which would repeal existing sales tax exemptions for ship repair contracts.

ADJOURNMENT

There being no further business, the Board at the hour of 3:30 p.m. adjourned.

Mary Anne Bulen, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, May 13, 1991

Approved by the Board of Supervisors on February 18, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, May 20, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 20, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Migden, Ward - 6.

Noted absent at first roll call:

Supervisors Hallinan, Hsieh, Kennedy, Maher, Shelley - 5.

Quorum present.

Supervisor Hallinan was noted present at 2:14 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kennedy was noted present at 2:15 p.m.

Supervisor Maher was noted present at 2:20 p.m.

Supervisor Shelley was noted present at 2:14 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Camp Mather Store Lease]

Ordinance approving a five-year lease with Charles Cran, dba Strawberry Music, Inc., for establishing and operating a camp store concession at Camp Mather, Tuolumne County, California. (Recreation and Park Department)

File 62-91-3, Ordinance No. 189-91

Monday, May 20, 1991

Finally passed.

[Grant Application]

Ordinance amending Administrative Code, which establishes the procedures used by the Board of Supervisors in considering and approving applications for grants by City officers, employees, boards or commissions, by requiring that all resolutions authorizing applications for grants indicate rates of reimbursement of indirect costs or the reasons why the recovery of indirect costs cannot be included in the application, by amending the procedures used to expedite Board authorization of the filing of application, and by amending the procedures used to expedite Board authorization of the filing of applications for grants by departments of the City. (Supervisor Migden)

File 97-91-28, Ordinance No. 187-91

(Amends Section 10.170.)

Finally passed.

Adopted

[Grant - State Funds]

Resolution authorizing the Department of Health, AIDS Office, to apply for a grant not to exceed \$682,909 from the California Department of Health Services under the Ryan White Comprehensive AIDS Resources Emergency (C.A.R.E.) Disaster Relief Program, Title II. (Department of Public Health)

File 146-91-37, Resolution No. 451-91

Adopted.

Recommendation of City Services Committee

Finally Passed

[Hazardous Materials]

Ordinance amending Health Code, to require plans for reducing the use of hazardous materials and the generation of hazardous waste to be submitted as part of an establishment's hazardous materials permit. (Supervisors Kennedy, Alioto, Hsieh)

File 118-91-2, Ordinance No. 193-91

(Amends Section 1120.1.)

Finally passed.

Monday, May 20, 1991

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Rose Lee against the City and County by payment of \$11,250. (City Attorney)

File 45-91-14, Ordinance No.

(Superior Court No. 919-299.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of My Kynd, Inc. against the City and County by payment of \$7,500. (City Attorney)

file 45-91-18, Ordinance No.

(Superior Court No. 921-067.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jones, et al., against the City and County by payment of \$7,500. (City Attorney)

File 45-91-20, Ordinance No.

(United States District Court No. C88-0084.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Wesley E. Moore against the City and County by payment of \$35,000. (City Attorney)

File 45-91-21, Ordinance No.

(Superior Court No. 860-167.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Teresita Fonseca against the City and County by payment of \$30,000. (City Attorney)

Monday, May 20, 1991

File 45-91-22 Ordinance No.

(Superior Court No. 893-885.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Robert L. Thurmond against the City and County by payment of \$35,000. (City Attorney)

File 45-91-23, Ordinance No.

(Superior Court No. 915-948.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Ana Maria Del Valle against the City and County by payment of \$20,000. (City Attorney)

File 45-91-24, Ordinance No.

(Superior Court No. 918-773.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of William Lucid, et al., against the City and County, et al., by payment of \$6,500. (City Attorney)

File 45-91-25, Ordinance No.

(United States District Court No. C90-3240 TEH.)

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Nanci Lewis in the sum of \$18,500. (City Attorney)

File 48-91-3, Resolution No. 439-91

Adopted.

Monday, May 20, 1991

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Raynette L. Scruton in the sum of \$35,000. (City Attorney)

File 48-91-4, Resolution No. 440-91

Adopted.

Recommendations of Economic and Social Policy Committee

Adopted

[Taxicab Stand]

Resolution rescinding location of taxicab stands on various streets. (Economic and Social Policy Committee)

File 15-91-4, Resolution No. 432-91

(Taxicab Stands 7 a.m. to 11 p.m. - Rescind

Clement Street, north side, from 33 feet east of Seventh Avenue to 18 feet easterly;

18th Avenue, west side, from 23 feet north of Geary Boulevard to 18 feet northerly;

Clement Street, north side, from 11 feet east of 43rd Avenue to 20 feet easterly;

Geneva Avenue, south side, from 70 feet east of Mission Street to 22 feet easterly;

Grove Street, north side, from 14 feet east of Polk Street to 12 feet easterly;

24th Street, south side, from 2 feet east of Mission Street to 24 feet easterly.)

Adopted.

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections. (Economic and Social Policy Committee)

File 18-91-6, Resolution No. 433-91

(Stop Signs - Establish

Quesada Avenue and Keith Street, northeast and southwest corners, stopping Quesada Avenue traffic (makes this an all-way Stop);

Jennings Street and Revere Avenue, southeast and northwest corners, stopping Jennings Street traffic (makes this an all-way Stop);

Monday, May 20, 1991

Ingalls Street and Quesada Avenue, southeast and northwest corners, stopping Ingalls Street traffic (makes this an all-way Stop);

Ingalls Street and Revere Avenue, southeast and northwest corners, stopping Ingalls Street traffic (makes this an all-way Stop);

Revere Avenue and Hawes Street, northeast and southwest corners, stopping Revere Avenue traffic (makes this an all-way Stop);

Van Dyke Avenue and Keith Street, northeast and southwest corners, stopping Van Dyke Avenue traffic (makes this an all-way Stop).)

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations on various streets. (Economic and Social Policy Committee)

File 19-91-5, Resolution No. 434-91

(Parking Meter Area 3 - Extend

212 Utah Street, from the north property line to 91 feet southerly (south property line 91-foot zone).

No Parking Any Time Except Sunday - Establish

No Parking Any Time - Rescind

Darien Way, south side, between San Rafael Avenue and the Junipero Serra frontage Road.)

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulations on various streets. (Economic and Social Policy Committee)

File 20-91-6, Resolution No. 435-91

(Tow-Away No Stopping Any Time - Establish

Stockton Street, east side, from California Street to 85 feet southerly (85-foot zone).

Tow-Away No Stopping, 7 a.m. to 6 p.m., Weekdays - Establish

Third Street, east side, from Folsom Street to 100 feet south (100-foot zone).)

Adopted.

Monday, May 20, 1991

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "P" in the Anzavista/Beideman area; and adding Baker Street, between Golden Gate Avenue and McAllister Street, both sides; Divisadero Street, between Turk Street and Golden Gate Avenue, both sides, upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-1, Resolution No. 438-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley, Ward - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Annual Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991. (Civil Service Commission)

File 106-91-1, Ordinance No.

(April 29, 1991 - Finally Passed;

May 10, 1991 - Returned to Board by Mayor, disapproved

May 13, 1991 - Consideration continued to May 20, 1991.)

Supervisor Gonzalez, seconded by Supervisor Migden, moved to continue consideration to May 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Monday, May 20, 1991

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$957,036, Hetch Hetchy, for legal services and non-work order services of other departments-City Attorney-legal services and rescinding \$957,036 from capital improvement project (Moccasin Shop Buildings), for fiscal year 1990-91; providing for ratification of action previously taken. (Controller)

File 101-90-90, Ordinance No. 191-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Recess

At the request of President Ward, the Board recessed at the hour of 2:50 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representatives regarding salaries and fringe benefits for City employees.

Reconvening of the Board

The Board, at the hour of 3:15 p.m., reconvened.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

Consideration Continued

[Health Service System Plans and Rates]

Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution, as adopted by the Health Service Board. (Health Service System)

File 97-91-29, Ordinance No.

(Amends Section 16.157.)

(This item requires nine votes for passage, pursuant to Charter Section 8.423.)

Monday, May 20, 1991

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to June 3, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hsieh - 1.

Recommendations of Economic and Social Policy Committee

Question Divided;
Passed for Second Reading, as Divided

[MBE/WBE/LBE - Prime Contracts]

Ordinance amending Administrative Code, relating to the procurement of goods and services and the award of public contracts by the City and County from minority business enterprises, women business enterprises and local businesses. (Supervisors Kennedy, Migden)

File 97-90-51, Ordinance No.

(Amends Sections ((12D.5,)) 12D.6, 12D.8, 12D.11, 12D.13, 12D.15,
12D.16, 12D.17, 12D.18;
Adds Section 12D.19.)

At the request of Supervisor Migden, the question was divided with respect to Asian Indians, so that the matter could be considered separately.

The roll was then called on the main ordinance, as divided, and it was passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

Consideration Continued to Special Meeting

[MBE/WBE/LBE - Prime Contract, Asian Indians]

Ordinance amending Administrative Code Section 12D.5, relating to the procurement of goods and services and the award of public contracts by the City and County from minority business enterprises, women business enterprises and local businesses, relating to Asian Indians.

File 97-90-51.1, Ordinance No.

(Amends Section 12D.5.)

Monday, May 20, 1991

Supervisor Kennedy, seconded by Supervisor Migden, moved that the Board of Supervisors meet as a Committee of the Whole at a special meeting on June 17, 1991 at 10:00 a.m. to consider the above subject legislation.

Motion to meet as a Committee of the Whole - June 17, 1991 adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Gonzalez, Hallinan, Hsieh, Maher, Ward - 4.

Passed for Second Reading

[Rent Ordinance]

Ordinance amending Administrative Code, to clarify that the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit includes damages for mental and emotional distress and that this definition is the one that the Board of Supervisors had intended in enacting Section 37.9(e) of this chapter in 1982. (Supervisors Achtenberg, Migden)

File 109-91-1, Ordinance No.

(Amends Section 37.9.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisor Gonzalez - 1.

Absent: Supervisors Hsieh, Maher - 2.

Called from Administration and Oversight Committee
by Supervisor Hallinan

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Janice Wong against the City and County by payment of \$10,000. (City Attorney)

File 45-91-15, Ordinance No. 188-91

(Superior Court No. 917-834.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Monday, May 20, 1991

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$5,400, Municipal Court, for membership dues and rescinding \$5,400 from permanent salaries; subject of previous budgetary denial. (Controller)

File 101-90-37, Ordinance No.

(This item is the subject of previous budgetary denial; requires 8 votes for passage, pursuant to Charter Section 6.306.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Government Funding]

Ordinance appropriating \$160,000, Water Department, for other current expenses and plumbing supplies (\$110,000 to provide water conserving toilet flappers, shower heads and aerators (water flow restricting device for sinks and basins) for 5,000 Housing Authority residential units that are currently not equipped with such devices. The remaining \$5,000 would be used to develop the information packet for new residential and commercial customers, for fiscal year 1990-91. (Controller)

File 101-90-96, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hsieh - 1.

[Government Funding]

Ordinance appropriating \$22,764, Social Services Department, for child care in residential treatment programs, for fiscal year 1990-91; retroactive to May 1, 1991. (Supervisors Gonzalez, Achtenberg, Migden)

File 101-90-101, Ordinance No.

Monday, May 20, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Consideration Continued

[Fiscal Impact Legislation]

Ordinance amending Administrative Code, requiring any resolution or ordinance having a fiscal impact be so indicated, requiring legislation creating a fiscal impact to be referred to the Finance Committee for consideration, requiring the sponsor of such legislation to make every effort to identify the funding source for the proposed legislation, and requiring the Budget Analyst to provide the Board of Supervisors with an analysis of the total cost of programs provided by legislation. (Supervisors Ward, Kennedy, Gonzalez, Shelley)

File 97-91-24, Ordinance No.

(Adds Section 2.6-3.)

Supervisor Migden, seconded by Supervisor Kennedy, moved to continue consideration to May 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Passed for Second Reading

[Special Trust Fund/Public Guardian]

Ordinance amending Administrative Code, establishing a special trust fund of the Public Administrator/Public Guardian and specifying purposes for which said fund may be used. (Supervisor Gonzalez)

File 97-91-25, Ordinance No.

(Amends Section 10.117-58.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Monday, May 20, 1991

[Membership in Organizations]

Ordinance amending Administrative Code, to add three organizations to the membership list of the Employee's Retirement System.
(Supervisor Ward)

File 97-91-30, Ordinance No.

(Amends Section 16.6-29.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Passed for Second Reading as Amended

[Stadium Operator Admission Surtax]

Ordinance amending Part III, Municipal Code, to impose a surtax on any operator of athletic contests, exhibitions and other special events based upon the price of each admission ticket sold for the right to occupy a seat or space in any stadium within San Francisco for such event; providing for operative date. (Supervisors Hallinan, Achtenberg, Ward)

File 127-91-4, Ordinance No.

(Adds Section 802A.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to amend page two, lines 14 through 17, after "operative" by deleting the rest of the sentence and inserting the following: "only for ticket sold for the 1992 season, including playoffs, and shall not apply prior to said date".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Hsieh - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

Adopted

[Public Transportation]

Resolution approving a revision of the fare schedule for the

Monday, May 20, 1991

Municipal Railway (fifteen dollars, for seven day Passport) for visitors to the City. (Public Utilities Commission)

File 7-91-5, Resolution No. 430-91

(Filed May 1, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Emergency Expenditure]

Resolution approving emergency expenditure for repair to Bay Division No. 4 Water Transmission Main, San Francisco Water Department, in the amount of \$500,000. (Public Utilities Commission)

File 28-91-6, Resolution No. 436-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Lease of Property]

Resolution authorizing extension of two existing leases of real property for the Public Utilities Commission. (Real Estate Department)

File 64-91-8, Resolution No. 441-91

(Station E - 19th Street and Lexington Street;
Station J - 222 Leidesdorff Street.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Lease of Property]

Resolution authorizing and approving lease of city property located at 762 Fulton Street, Assessor's Block 781, Lots 10 and 34, formerly known as the Western Addition Community Cultural Center to Center for African American Art and Culture, as lessee. (Supervisor Kennedy)

File 65-91-2, Resolution No. 442-91

Monday, May 20, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Redevelopment Agency Bonds]

Resolution approving the issuance by the Redevelopment Agency of the City and County of Multifamily Housing Refunding Mortgage Revenue Bonds in an aggregate principal amount not to exceed \$46,655,000 for the purposes of its Residential Construction Financing Program for the Rincon Point/South Beach Redevelopment Project Area. (Redevelopment Agency)

File 170-91-2, Resolution No. 421-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Water Rates - Finding]

Resolution making a finding that no tax subsidy will be required by the Water Department by reason of approval of a proposed schedule of rates to be charged by the Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-91-1, Resolution No. 447-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

From Finance Committee
With Recommendation "Do Not Pass"

Refused Adoption

(Supervisor Gonzalez dissenting in Committee.)

[Water Rates]

Resolution disapproving revised schedule of rates to be charged by the Water Department for retail water service in San Francisco and suburban areas; companion measure to File 142-91-1. (Public Utilities Commission)

Monday, May 20, 1991

File 142-91-1.1, Resolution No.

(Filed May 1, 1991.)

President Ward explained that an "aye" vote would reject the proposed rate increase and a "no" vote approves it.

Refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Shelley - 2.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisor Hsieh - 1.

Recommendation of Finance Committee

Adopted

[Water Rates - Finding]

Resolution making a finding that no tax subsidy will be required by the Water Department by reason of approval of a proposed revised schedule of rates to be charged by the Water Department for water supplied to its Suburban Resale Customers. (Public Utilities Commission)

File 142-91-2, Resolution No. 449-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

From Finance Committee
With Recommendation "Do Not Pass"

Refused Adoption

(Supervisor Gonzalez dissenting in Committee.)

[Water Rates]

Resolution disapproving revised schedule of rates to be charged by the Water Department for water service and water supplied to its Suburban Resale Customers; companion measure to File 142-91-2. (Public Utilities Commission)

File 142-91-2.1, Resolution No.

(Filed May 1, 1991.)

Monday, May 20, 1991

President Ward explained that an "aye" vote would reject the proposed rate increase and a "no" vote adopts it.

Refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Shelley - 2.

Noes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden, Ward - 7.

Absent: Supervisors Britt, Hsieh - 2.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Salary Standardization - Nurses]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District, the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.403 of the Charter and establishing benefits, working schedules, and conditions of employment and methods of payment, effective July 1, 1991. (Employee Relations Division)

File 103-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Adopted

[Commendation]

Resolution endorsing Bank of America's newly introduced environmental program and congratulating their leadership in this important area and urging other businesses in San Francisco to implement similar programs. (Supervisor Alioto)

File 6-91-6, Resolution No. 426-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Monday, May 20, 1991

[Appointment]

Resolution appointing member to the Animal Control and Welfare Commission, for the two-year term ending April 30, 1993.
(Administration and Oversight Committee)

File 92-91-7, Resolution No. 443-91

(Dolly B. Trauner, public at large, vice Virginia Handley,
term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,
Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Adopted as Amended

[Appointments]

Resolution appointing members to the Video Display Terminal Advisory Committee. (Administration and Oversight Committee)

File 92-91-10.1, Resolution No. 444-91

(Michael J. Skaar, ((business/Small Business)) Small
Business Advisory Commission;
Julia Faucett, RN, PhD, scientific/Mayor.)

Supervisor Hallinan, seconded by Supervisor Migden, moved to
amend line 16 by replacing "business/Small Business" with "Small
Business Advisory Commission".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,
Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan,
Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Adopted

[Appointment]

Resolution appointing member to the Task Force on Large-Scale Drug Stores, for term ending six months after first meeting.
(Administration and Oversight Committee)

File 92-91-11, Resolution No. 445-91

Monday, May 20, 1991

(Kathleen A. O'Neill, representative of large-scale drug store, Thrifty Corporation category e.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Appointment]

Resolution appointing member to the Cultural Affairs Task Force and adopting findings waiving residency requirement. (Administration and Oversight Committee)

File 92-91-12, Resolution No. 446-91

(John Kreidler, representing the San Francisco Foundation for the one-year term ending upon completion of a written report to the Board of Supervisors.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Recommendation of City Services Committee

Consideration Continued

(Supervisor Achtenberg dissenting in Committee.)

[Mount Zion Community Crisis Clinic]

Resolution urging the Mayor to include full funding in the 1991-92 budget proposal to continue operating the Mount Zion Community Crisis Clinic on a 24-hour, 7-day per week basis, and urging the Mayor to urge the Health Commission to contract with the Mount Zion Community Crisis Clinic to continue providing 24-hour, 7-day per week emergency community psychiatric care services. (Supervisors Alioto, Hsieh, Britt, Hallinan, Migden)

File 100-91-4, Resolution No.

Supervisor Alioto, seconded by Supervisor Migden, moved to continue consideration to May 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Maher, Migden, Shelley - 8.

Monday, May 20, 1991

Noes: Supervisors Kennedy, Ward - 2.

Absent: Supervisor Hsieh - 1.

Recommendations of Economic and Social Policy Committee

Adopted

[Final Negative Declaration]

Resolution adopting a Final Negative Declaration, finding and determining that the addition of Planning Code Section 249.10 to establish an Affordable Housing Special Use District, and the construction of 12 affordable housing units on a portion of Lot 72 in Tax Assessor's Block 3642, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Department of City Planning)

File 36-91-5, Resolution No. 437-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Passed for Second Reading

[Zoning Map Change]

Ordinance adopting changes in property classification as an amendment to the Zoning Map of the City and County of property located at 1272-1278 South Van Ness Avenue, between 23rd and 24th Streets, a portion of Lot 72 in Assessor's Block 3642 from an RM-1 (Mixed Residential, Low Density) District to an RM-1 (Mixed Residential, Low Density) District and the South Van Ness Avenue and 24th Street Affordable Housing Special Use District; and adopting findings pursuant to Section 101.1; companion measure to File 36-91-5. (Department of City Planning)

File 36-91-5.1, Ordinance No.

(Approved by City Planning Commission Resolution No. 13077.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Affordable Housing Special Use District]

Ordinance amending City Planning Code, to create an Affordable Housing Special Use District at South Van Ness Avenue and

Twenty-Fourth Street and finding consistency with Planning Code Section 101.1; companion measure to Files 36-91-5 and 36-91-5.1. (Supervisor Ward)

File 81-91-2, Ordinance No.

(Adds Section 249.10.)

(Approved by City Planning Commission Resolution No. 13076.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Adopted

[State Legislation]

Resolution supporting Senate Bill 1224 (Killea) which requires that water conservation devices be installed in all buildings by the seller at the point of sale or transfer. (Supervisor Migden)

File 12-91-17, Resolution No. 422-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hsieh - 3.

[Federal Legislation]

Resolution endorsing the Ancient Forest Protection Act of 1991, HR 842. (Supervisors Alioto, Migden, Achtenberg, Shelley)

File 13-91-6, Resolution No. 431-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Hsieh - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Jan Allen;
Ace Washington;
Joe O'Donaghue;
Peter Paul.

Monday, May 20, 1991

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

(The following two items were considered separately.)

Consideration Continued

[Management Audit]

Motion directing the Budget Analyst to prepare management audit of the San Francisco Redevelopment Agency. (Supervisor Maher)

File 165-91-4.1

(May 13, 1991 - Introduced in Board for consideration on May 20, 1991.)

Supervisor Shelley, seconded by Supervisor Achtenberg, moved to continue consideration to May 28, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Britt, Hsieh, Maher, Migden - 4.

Adopted

[1981 Hunger Strike Memorial]

Resolution urging the Mayor of San Francisco to proclaim May 24 and 25 Memorial Days in honor of the Irish Hunger Strikers who died ten years ago in the name of Irish Freedom. (Supervisors Hallinan, Shelley)

File 4-91-16, Resolution No. 415-91

(May 13, 1991 - Referred for consideration on May 20, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Britt, Hsieh, Maher, Migden - 4.

Monday, May 20, 1991

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Achtenberg requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Adopted as Amended

[State Legislation]

Resolution supporting SB 1184 relating to the Department of Tourism. (Supervisor Kennedy)

File 12-91-22, Resolution No. 416-91

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved to amend page two, between lines two and three by adding another Further Resolved clause as follows: "FURTHER RESOLVED, That the Department of Tourism do special outreach to the various ethnic and racial minority communities and to the lesbian and gay community, nationwide; and, be it".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Britt, Hsieh, Maher, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Britt, Hsieh, Maher, Migden - 4.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

Monday, May 20, 1991

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-20, Resolution No. 414-91

(Mayor Art Agnos, May 20 - 29; Willie B. Kennedy, member, Board of Supervisors, June 6 - 9 and 15 - 20; Peter Ashe, member, Retirement Board, May 14 - 16, May 29 - June 1 and June 19 - 20; Dale Carlson, member, Public Library Commission, May 14 - 15 and May 30 - June 6; Gordon Chin, member, Public Utilities Commission, June 10 - 15 and 23 - 25; Marilyn Chow, President, Social Services Commission, June 27 - July 5; Joseph Driscoll, member, Retirement Board, May 18 - 26; Keith Eickman, Vice President, Recreation and Park Commission, May 31 - June 9; Bonnie Gibson, member, Retirement Board, May 22 - 28; Richard Guggenhime, member, Recreation and Park Commission, May 16 - 19; Anne Halsted, member, Port Commission, May 7 - 13; Willard Harris, member, Commission on the Aging, May 22 - 27; Gary Kitahata, member, Redevelopment Agency, May 22 - June 3; Harry S. Parker, III, Director, Fine Arts Museums, May 22 - 27 and June 11 - 16; Juan Rios, member, Civil Service Commission, May 7 - 24; Arlo Smith, District Attorney, May 28 - June 4; L.A. Turpen, Director of Airports, June 8 - 14; Sam Walker, member, Retirement Board, July 15 - 17 and August 3 - 23, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[State Legislation]

Resolution supporting Assembly Bill 1001 which adds Section 43601.5 to the Government Code, relating to municipal bonds, and declaring the urgency thereof, to take effect immediately.

File 12-91-23, Resolution No. 417-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Osgood Alley, between Broadway and Pacific Street, on Saturday, May 25, 1991 from 9:00 a.m. to 9:00 p.m., for filming by Momentum Films.

File 42-91-22, Resolution No. 418-91

Supervisor Ward presented for immediate adoption.

Adopted.

Monday, May 20, 1991

[Alamo Square/Buena Vista North Special Use District]
Resolution extending to September 1, 1991, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to establish the Alamo Square/Buena Vista North Special Use District.

File 81-90-2.5, Resolution No. 419-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[San Francisco Marathon]
Resolution urging San Francisco to encourage and support the Third Annual City of San Francisco Marathon.

File 227-91-1, Resolution No. 420-91

Supervisors Maher and Migden presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Britt, Hsieh, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]
Ordinance appropriating \$228,614, Police Department, for capital improvement project (911 dispatch, phase I). (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the May 22, 1991 meeting.

File 101-90-112

[Government Funding]
Ordinance appropriating \$11,750, Public Health, for medical service contracts (Critical Incident Response Team). (Supervisor Kennedy presented.) Referred to Finance Committee.

File 101-90-113

Monday, May 20, 1991

[Plan Review Fee Schedule]

Ordinance amending Fire Code by amending Section 4.208, increasing the property inspection fee for Fire Department review of plans submitted with building permit applications. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 117-91-1

[Interim Budget]

Resolution approving an interim budget of the Redevelopment Agency for fiscal year 1991-92. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 161-91-3

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: to provide loans or grants for the construction or reconstruction of unreinforced masonry buildings for multi-family housing and commercial purposes; provided, however, that no more than fifteen percent (15%) of this total authorization shall be used for loans or grants for commercial purposes; that the estimated cost of ninety-five million dollars (\$95,000,000) for said municipal improvement is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; provided, however, that no more than twenty million dollars (\$20,000,000) of this authorization shall be sold in any one fiscal year. (Supervisor Ward presented.) Referred to Finance Committee.

File 170-91-3

[Central Freeway]

Resolution urging the City Attorney to seek injunctive relief to prohibit Caltrans from retrofitting the Central Freeway; urging the City Attorney to investigate potential State and Federal Clean Air Act violations. (Supervisors Maher and Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 171-91-5

[Central Freeway]

Resolution urging the Federal Highway Administration to withhold funding the Central Freeway retrofit project until a full environmental assessment is completed. (Supervisors Maher and Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 171-91-6

[911 Emergency Services]

Resolution urging the Mayor to urge the Police Commission to establish certain policies for the provision of the City's emergency services and its 911 system. (Supervisor Gonzalez presented.) Referred to City Services Committee.

File 207-91-1

[Ballot Measure]

Draft ordinance amending the Parking Tax by rescinding and prohibiting parking tax and that owners of parking lots pay \$13 per month per stall and that there be a special rate to be paid for parking stalls used for special events and for parking stalls that are privately owned but do not generate revenue. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 217-91-1

[Ballot Measure]

Charter amendment (skeletal) amending Section 3.661 relating to the powers and duties of the civil service commission. (Supervisor Hallinan presented on behalf of the Civil Service Commission.) Referred to Administration and Oversight Committee.

File 218-91-1

[Ballot Measure]

Charter amendment (skeletal) amending the charter by deleting Sections 8.320, 8.321, 8.322, 8.223, 8.324, 8.328, 8.330, 8.331, 8.332, 8.340 relating to qualifications, examinations, eligible lists, provisional appointments and dismissal during probation, and adding new Section 8.320-1 incorporating the provisions of the above sections into Civil Service Commission rules. (Supervisor Hallinan presented on behalf of the Civil Service Commission.) Referred to Administration and Oversight Committee.

File 219-91-1

[Ballot Measure]

Charter amendment (skeletal) amending Section 8.329 relating to the certification of eligibles. (Supervisor Hallinan presented on behalf of the Civil Service Commission.) Referred to Administration and Oversight Committee.

File 220-91-1

[Ballot Measure]

Charter amendment (skeletal) amending Section 8.341 relating to the removal or discharge of permanent employees. (Supervisor Hallinan presented on behalf of the Civil Service Commission.) Referred to Administration and Oversight Committee.

File 223-91-1

Monday, May 20, 1991

[Ballot Measure]

Charter amendment (skeletal) amending Sections 3.530-2 and 8.343 to provide for changes in the Office of Citizen Complaints' investigative procedures and the police discipline system. (Supervisor Hallinan presented on behalf of the Police Commission.) Referred to Administration and Oversight Committee.

File 224-91-1

[Ballot Measure]

Charter amendment (skeletal) amending Section 8.100 providing that where the legislation creating said boards, commissions or advisory bodies provides for participation by residents under the age of 18 years, it shall not be necessary that said residents be electors at the time of their appointment. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 225-91-1

[Ballot Measure]

Charter amendment (First draft) amending Section 8.400 relating to providing workers salary continuation benefits to employees called to active duty with a United States military reserve organization. (Supervisor Maher presented.) Referred to Administration and Oversight Committee.

File 228-91-1

Requests for Hearings

File 100-90-1.15, By Supervisor Gonzalez: To consider release of reserved funds, District Attorney, in the amount of \$40,000 for salaries. Referred to Finance Committee with request it be considered at the May 22, 1991 meeting.

File 171-91-7, By Supervisors Gonzalez and Maher: To consider Caltrans plans to partially demolish and repair the Central Freeway. Referred to Economic and Social Policy Committee.

File 171-91-8, By Supervisor Ward: To consider traffic on Third Street, especially truck traffic. Referred to Economic and Social Policy Committee.

File 178-91-1, By Supervisor Kennedy: To consider the Residential Rent Stabilization and Arbitration Board's alleged refusal to follow civil service procedures, alleged retaliation against an employee for having filed a workers' compensation claim and a racial discrimination complaint. Referred to Administration and Oversight Committee.

File 216-91-1, By Supervisor Gonzalez: To consider the Mission Armory Legislative Amendments. Referred to Finance Committee.

File 226-91-1, By Supervisor Gonzalez: To consider the Alternative Defense Council. Referred to Finance Committee.

Monday, May 20, 1991

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Gonzalez and Maher, that City Attorney prepare questions for the Administration and Oversight Committee to submit to Caltrans that would seek to determine from Caltrans what seismic, geotechnical and environmental impact studies were undertaken by Caltrans prior to making their decision to partially demolish and repair the Central Freeway.

By Supervisor Gonzalez, that letter be sent to the State Director of Transportation to inquire whether the department can investigate a query regarding revocation of permit to operate the Good Neighbors Van Service at the airport and whether other van services are also prohibited from picking up passengers at the airport unless the passenger has called to make a reservation.

By Supervisor Gonzalez, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine whether the timing of the signal lights along 19th Avenue can be changed to ease the flow of traffic, eliminate waste of fuel and pollution of the air.

By Supervisor Kennedy, that City Attorney include health and safety standards for nail shops to pending legislation after determining the extent and risk of disease transmitted by nail shops and whether the Health Department should be given authority to regulate the nail salons and close them if they do not meet acceptable standards.

By Supervisor Kennedy, that City Attorney prepare appropriate amendments to include the Buena Vista North in the Alamo Square Special Use District legislation.

By Supervisor Kennedy, that City Attorney research and draft legislation for an early retirement program for City employees with service with the city for at least 15 years, ages between 50 to 55 and receiving salaries over \$45,000 per year, by adding five years to their ages and five years to their service.

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine the feasibility of placing lighting in the area of the swings located at the corner of Madrid Street and Russia Avenue for safety reasons.

By Supervisor Kennedy, that the Legislative Policy staff look at the realignment plan for the health and welfare program and to review the recommendations from the County Supervisors Association of California State Budget Task Force, to make sure the changes are not detrimental to the City.

By Supervisor Migden, that letter be sent to the Chief Administrative Officer to inquire whether the City's telecommunications services, including long distance services and pay phone concessions, are subject to competitive bidding and requesting an explanation of the bidding and selection process.

Monday, May 20, 1991

By Supervisor Maher, that City Attorney review communication from a Redevelopment Agency Commissioner regarding tenant mobilization and advise the Board on the legality of a system that gives preference to applicants and a pre-select pool of tenants for housing.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Norwood Jones (Supervisor Kennedy)
Corine Jones (Supervisors Kennedy, Ward)
Carrie Gamble (Supervisor Kennedy)

File 2-91-20

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:37 p.m. adjourned.

Mary Anne Bulen, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, May 20, 1991

Approved by the Board of Supervisors on February 18, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

7/28/91

Vol. 86

No. 21

DOCUMENTS DEPT.

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Tuesday, May 28, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, May 28, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Alioto, Gonzalez, Maher - 3.

Quorum present.

Supervisor Alioto was noted present at 2:05 p.m.

Supervisor Gonzalez was noted present at 2:05 p.m.

Supervisor Maher was noted present at 2:10 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, September 24, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Tuesday, May 28, 1991

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$160,000, Water Department, for other current expenses and plumbing supplies (\$110,000 to provide water conserving toilet flappers, shower heads and aerators (water flow restricting device for sinks and basins) for 5,000 Housing Authority residential units that are currently not equipped with such devices. The remaining \$5,000 would be used to develop the information packet for new residential and commercial customers, for fiscal year 1990-91. (Controller)

File 101-90-96, Ordinance No. 206-91

Finally passed.

[Government Funding]

Ordinance appropriating \$22,764, Social Services Department, for child care in residential treatment programs, for fiscal year 1990-91; retroactive to May 1, 1991. (Supervisors Gonzalez, Achtenberg, Migden)

File 101-90-101, Ordinance No. 207-91

Finally passed.

[Trust Fund]

Ordinance amending Administrative Code, establishing a special trust fund of the Public Administrator/Public Guardian and specifying purposes for which said fund may be used. (Supervisor Gonzalez)

File 97-91-25, Ordinance No. 186-91

(Amends Section 10.117-58.)

Finally passed.

[Membership in Organizations]

Ordinance amending Administrative Code, to add three organizations to the membership list of the Employee's Retirement System. (Supervisor Ward)

File 97-91-30, Ordinance No. 204-91

(Amends Section 16.6-29.)

Finally passed.

Tuesday, May 28, 1991

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$300,000, Water Department, for judgment and claims. (Controller)

File 101-90-98, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$9,000,000, Hetch Hetchy, to purchase power for resale and rescinding \$9,000,000 from various capital improvement projects. (Controller)

File 101-90-100, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$266,500, Chief Administrative Officer, for professional services (marketing consultant) and other contractual services (Neighborhood Beautification Graffiti Clean-up Fund); for fiscal year 1990-91. (Supervisor Gonzalez)

File 101-90-107, Ordinance No.

Passed for second reading.

Adopted

[Contract Prop. J Paratransit Services]

Resolution finding that it is economical for the Public Utilities Commission to contract for paratransit services in accordance with Charter Section 8.300-1. (Public Utilities Commission)

File 25-91-20, Resolution No. 464-91

Adopted.

Passed for Second Reading

[Parking Lot Lease Documents]

Ordinance approving and adopting Mission-Bartlett Garage legal documents and authorization to lease. (Real Estate Department)

File 47-91-7, Ordinance No.

Passed for second reading.

Tuesday, May 28, 1991

Adopted

[Grant - Federal Funds]

Resolution authorizing the Department of Health, AIDS Office, to accept and expend a supplemental grant of \$12,652 from the Department of Health and Human Services, Centers for Disease Control, to supplement the AIDS Surveillance Project for the residents of San Francisco. (Department of Public Health)

File 146-90-110.1, Resolution No. 455-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to apply for a grant up to the amount of \$549,383 from the State of California, Department of Alcohol and Drug Programs to develop a demonstration project for youth who are considered high-risk for substance abuse. (Department of Public Health)

File 146-91-38, Resolution No. 454-91

Adopted.

[Reward Authorization]

Resolution authorizing payment of reward to Jane Doe for supplying information that led to the arrest and conviction of the person responsible for the murder of Felix Bastarrica. (Mayor)

File 155-91-1, Resolution No. 467-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Rose Lee against the City and County by payment of \$11,250. (City Attorney)

File 45-91-14, Ordinance No. 196-91

(Superior Court No. 919-299.)

Finally passed.

Tuesday, May 28, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of My Kynd, Inc.
against the City and County by payment of \$7,500. (City Attorney)

File 45-91-18, Ordinance No. 197-91

(Superior Court No. 921-067.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jones, et al.,
against the City and County by payment of \$7,500. (City Attorney)

File 45-91-20, Ordinance No. 198-91

(United States District Court No. C88-0084.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Wesley E. Moore
against the City and County by payment of \$35,000. (City Attorney)

File 45-91-21, Ordinance No. 199-91

(Superior Court No. 860-167.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Teresita Fonseca
against the City and County by payment of \$30,000. (City Attorney)

File 45-91-22 Ordinance No. 200-91

(Superior Court No. 893-885.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Robert L. Thurmond
against the City and County by payment of \$35,000. (City Attorney)

File 45-91-23, Ordinance No. 201-91

(Superior Court No. 915-948.)

Finally passed.

Tuesday, May 28, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Ana Maria Del Valle against the City and County by payment of \$20,000. (City Attorney)

File 45-91-24, Ordinance No. 202-91

(Superior Court No. 918-773.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of William Lucid, et al., against the City and County, et al., by payment of \$6,500. (City Attorney)

File 45-91-25, Ordinance No. 203-91

(United States District Court No. C90-3240 TEH.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Zoning Map Change]

Ordinance adopting changes in property classification as an amendment to the Zoning Map of the City and County of property located at 1272-1278 South Van Ness Avenue, between 23rd and 24th Streets, a portion of Lot 72 in Assessor's Block 3642 from an RM-1 (Mixed Residential, Low Density) District to an RM-1 (Mixed Residential, Low Density) District and the South Van Ness Avenue and 24th Street Affordable Housing Special Use District; and adopting findings pursuant to Section 101.1. (Department of City Planning)

File 36-91-5.1, Ordinance No. 195-91

(Approved by City Planning Commission Resolution No. 13077.)

Finally passed.

[Affordable Housing Special Use District]

Ordinance amending City Planning Code, to create an Affordable Housing Special Use District at South Van Ness Avenue and Twenty-Fourth Street and finding consistency with Planning Code Section 101.1; companion measure to File 36-91-5.1. (Supervisor Ward)

File 81-91-2, Ordinance No. 194-91

Tuesday, May 28, 1991

(Adds Section 249.10.)

(Approved by City Planning Commission Resolution No. 13076.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Annual Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991. (Civil Service Commission)

File 106-91-1, Ordinance No.

(April 29, 1991 - Finally Passed;
May 10, 1991 - Returned to Board by Mayor, disapproved;
May 20, 1991 - Consideration continued to May 28, 1991.)

Supervisor Gonzalez, seconded by Supervisor Shelley, moved to continue consideration to June 3, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendations of Finance Committee

Finally Passed

Tuesday, May 28, 1991

[Government Funding]

Ordinance appropriating \$5,400, Municipal Court, for membership dues and rescinding \$5,400 from permanent salaries; subject of previous budgetary denial. (Controller)

File 101-90-37, Ordinance No. 205-91

(This item is the subject of previous budgetary denial; requires 8 votes for passage, pursuant to Charter Section 6.306.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Consideration Continued

[Fiscal Impact Legislation]

Ordinance amending Administrative Code, requiring any resolution or ordinance having a fiscal impact be so indicated, requiring legislation creating a fiscal impact to be referred to the Finance Committee for consideration, requiring the sponsor of such legislation to make every effort to identify the funding source for the proposed legislation, and requiring the Budget Analyst to provide the Board of Supervisors with an analysis of the total cost of programs provided by legislation. (Supervisors Ward, Kennedy, Gonzalez, Shelley)

File 97-91-24, Ordinance No.

(Adds Section 2.6-3.)

Supervisor Gonzalez, seconded by Supervisor Alioto, moved to continue consideration to June 3, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 10.

Passed for Second Reading as Amended

(([Stadium Operator Admission Surtax]

Ordinance amending Part III, Municipal Code, to impose a surtax on any operator of athletic contests, exhibitions and other special events based upon the price of each admission ticket sold for the right to occupy a seat or space in any stadium within San Francisco for such event; providing for operative date.)) (Supervisors Hallinan, Achtenberg, Ward)

[Stadium Operator Temporary Admission Tax]

Ordinance amending Part III, Municipal Code, to impose an additional temporary admission tax on any operator of athletic contests,

Tuesday, May 28, 1991

exhibitions and other special events based upon the price of each admission ticket sold for the right to occupy a seat or space in any stadium within San Francisco for such event; providing for operative date.

File 127-91-4, Ordinance No.

(Adds Section 802A.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "[Stadium Operator Temporary Admission Tax] Ordinance amending Part III, Municipal Code, to impose an additional temporary admission tax on any operator of athletic contests, exhibitions and other special events based upon the price of each admission ticket sold for the right to occupy a seat or space in any stadium within San Francisco for such event; providing for operative date."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of Administration and Oversight Committee

Finally Passed

[Salary Standardization - Nurses]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District, the San Francisco Unified School District, whose compensations are subject to the provisions of Section 8.403 of the Charter and establishing benefits, working schedules, and conditions of employment and methods of payment, effective July 1, 1991. (Employee Relations Division)

File 103-91-1, Ordinance No. 208-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of City Services Committee

Tuesday, May 28, 1991

Refused Adoption

(Supervisor Achtenberg dissenting in Committee.)

[Mount Zion Community Crisis Clinic]

Resolution urging the Mayor to include full funding in the 1991-92 budget proposal to continue operating the Mount Zion Community Crisis Clinic on a 24-hour, 7-day per week basis, and urging the Mayor to urge the Health Commission to contract with the Mount Zion Community Crisis Clinic to continue providing 24-hour, 7-day per week emergency community psychiatric care services. (Supervisors Alioto, Hsieh, Britt, Hallinan, Migden)

File 100-91-4, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Migden - 5.

Noes: Supervisors Achtenberg, Gonzalez, Kennedy, Maher, Shelley, Ward - 6.

Recommendations of Economic and Social Policy Committee

Finally Passed

[MBE/WBE/LBE - Prime Contracts]

Ordinance amending Administrative Code, relating to the procurement of goods and services and the award of public contracts by the City and County from minority business enterprises, women business enterprises and local businesses. (Supervisors Kennedy, Migden)

File 97-90-51, Ordinance No. 190-91

(Amends Sections 12D.5, 12D.6, 12D.8, 12D.11, 12D.13, 12D.15, 12D.16, 12D.17, 12D.18; Adds Section 12D.19.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Rent Ordinance]

Ordinance amending Administrative Code, to clarify that the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit includes damages for mental and emotional distress and that this definition is the one that the Board of Supervisors had intended in enacting Section 37.9(e) of this chapter in 1982. (Supervisors Achtenberg, Migden)

File 109-91-1, Ordinance No. 192-91

Tuesday, May 28, 1991

(Amends Section 37.9.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$2,590,309, Municipal Railway, for various capital improvement projects, for fiscal year 1990-91; placing \$1,534,746 on reserve. (Controller)

File 101-90-97, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Government Funding]

Ordinance appropriating \$228,614, Police Department for capital improvement project - 911 Dispatch, Phase I and Phase II, for fiscal year 1990-91; placing \$83,106 on reserve. (Supervisor Gonzalez)

File 101-90-112, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Alioto - 1.

Absent: Supervisor Britt - 1.

[Lake Merced Boating & Fishing Lease Amendment]

Ordinance approving the second amendment to the Lake Merced Boating and Fishing Lease with Urban Parks Concessionaires. (Recreation and Park Department)

File 62-91-2, Ordinance No.

Tuesday, May 28, 1991

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Memberships in Organizations]

Ordinance amending Administrative Code, establishing procedures for the membership of City and County boards, commissions and departments in certain organizations, by requiring City boards, commissions and department heads to submit annual reports of memberships to the Mayor, the Controller and the Board of Supervisors by May 1 of each year. (Supervisor Shelley)

File 97-91-32, Ordinance No.

(Amends Section 16.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Adopted

[Grant - Federal Funds]

Resolution rescinding Resolution No. 899-90 authorizing the Department of Health, Community Public Health Services, Sexually Transmitted Disease Control Program, to accept and expend a grant in the amount of \$1,383,101 from the Centers for Disease Control for sexually transmitted disease control services, and authorizing the Department of Public Health, instead to retroactively accept and expend a grant in the amount of \$1,103,700 from the Centers for Disease Control for sexually transmitted disease control services. (Department of Public Health)

File 146-90-78.1, Resolution No. 424-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Transit Advertising Agreement]

Resolution approving a five-year transit advertising agreement with Transportation Displays, Incorporated to manage the Municipal Railway's Transit Advertising Program. (Public Utilities Commission)

Tuesday, May 28, 1991

File 7-91-4, Resolution No. 463-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Grant - Federal Funds]

Resolution authorizing the Arts Commission to apply and accept, retroactively, and to expend \$150,000 over a three-year period, from the National Endowment for the Arts to be used to support arts education through re-granting, symposia and apprenticeships; and to support artists in their quest for combined living and studio space through the Arts Commission's Arthouse Program. (Arts Commission)

File 132-91-3, Resolution No. 466-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Grant - State Funds]

Resolution authorizing the Department of Health, Community Public Health Services, Family Health Services, to accept and expend a grant of \$350,600 from the State Department of Health Services, Office of Family Planning for provision of family planning services to the residents of San Francisco, and to authorize the expenditure of grant funds to finance civil service positions for the provision of these services; placing \$67,000 on reserve. (Department of Public Health)

File 146-91-35, Resolution No. 453-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Extending Peninsula Commute Service]

Resolution retroactively approving Amendment No. 20 to the Master Contract between the California Department of Transportation and Southern Pacific Transportation Company and Amendment No. 3 to Cooperative Agreement RM-4, among the California Department of Transportation, San Mateo County Transit District, Santa Clara

Tuesday, May 28, 1991

County Transit District and the City and County of San Francisco, supporting rail passenger service between San Jose and San Francisco. (Public Utilities Commission)

File 172-91-3, Resolution No. 452-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Consideration Continued with Pending Amendment of the Whole

[Acquisition of Real Property - Mission Armory]
Resolution authorizing a grant of funds to the Mission Armory Foundation for the acquisition of Mission Armory for uses in connection with eligible activities under Title I of the Housing and Community Development Act of 1974 and further authorizing expenditure of \$1,806,835 from the San Francisco Urban Development Action Grant Revolving fund to acquire and develop said property; adopting findings pursuant to City Planning Code Section 101.1, and rescinding Resolutions 1118-87 and 509-89. (Supervisor Gonzalez)

File 216-91-1, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Maher, moved an amendment of the whole entitled, "Resolution authorizing a grant of Urban Development Action Grant Revolving Loan Funds in the amount of \$1,806,835 to the Mission Armory Foundation for the Mission Armory for uses in connection with eligible activities under Title I of the Housing and Community Development Act of 1974, adopting findings pursuant to City Planning Code Section 101.1 and rescinding Resolution 509-89".

Supervisor Alioto, seconded by Supervisor Achtenberg, moved to continue consideration with pending amendment of the whole to June 3, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading as Amended

(Supervisor Kennedy dissenting in Committee.)

Tuesday, May 28, 1991

[Rent Ordinance]

Ordinance amending Administrative Code, to establish limitations on initial rents for rental units, create a procedure for verification of initial rents, provide for arbitration of initial rents, expand factors to be considered by hearing officers, create a new criminal penalty and enlarge the scope of civil actions (vacancy control). (Supervisors Ward, Alioto, Migden, Achtenberg, Shelley)

File 109-91-2, Ordinance No.

(Amends Sections 37.3, 37.7, 37.8, 37.10A and 37.11A.)

Supervisor Ward, seconded by Supervisor Britt, moved to amend page five, line 10 by striking "two-year" and inserting "36 months"; amend page six, line 16, after "advertised" by deleting "in the local newspaper" and after "neighborhood" inserting "in the local newspaper"; amend wherever "120" days appear to "240" days; amend page 16, line two by replacing "37.8(c)" with "37.8(b) and (c)".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Kennedy, seconded by Supervisor Ward, moved to amend to indicate "No landlord shall refuse to rent to any prospective tenant on the basis of income provided that the prospective tenant meets the landlord's income requirements for rental of the unit."

After a period of debate, there being no objection, Supervisor Kennedy withdrew the motion to amend.

Supervisor Hallinan stated that in the past he has refrained from participating on such issues because of potential conflict of interest but, after consulting with family members that he had nothing to gain from the law that is against his own financial interests, he has decided to vote on this issue.

In response to Supervisors Hsieh and Gonzalez, Deputy City Attorney Ted Lakey stated that he has conferred with and advised Supervisor Hallinan what the law is and the position of the Fair Political Practice Commission. It is his decision. The only way to determine whether his conclusion is correct or not is if someone were to address it through a court of law.

Supervisor Gonzalez, seconded by Supervisor Maher, moved to continue consideration to June 3, 1991.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Tuesday, May 28, 1991

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

From Economic and Social Policy Committee
Without Recommendation

Consideration Continued

[Final Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that the construction of a mixed-use development consisting of 120 units of senior housing and 9,050 square feet of commercial/institutional uses, 4,000 square feet of community service space and ground floor parking for approximately 57 automobiles in a planned unit development requiring a reclassification from a P (Public) to an NC-2 (Small-Scale Neighborhood Commercial) District in Assessor's Block 3180, Lot 1 (portion) for the property located at 11 Phelan Avenue will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 115-91-6.1, Resolution No.

Supervisor Migden, seconded by Supervisor Maher, moved to continue consideration to June 3, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the zoning map of the City and County of property located at 11 Phelan Avenue, northwest corner at Ocean Avenue, a portion of Lot 1, Assessor's Block 3180 from a P (Public Use) District to an NC-2 (Small-Scale Neighborhood Commercial) District and adopting findings pursuant to Section 101.1 of the Planning Code; companion measure to File 115-91-6.1. (Department of City Planning)

File 115-91-6, Ordinance No.

Supervisor Migden, seconded by Supervisor Maher, moved to continue consideration to June 3, 1991.

Motion to continue adopted by the following vote:

Tuesday, May 28, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Recommendation of City Services Committee

Adopted

[Demonstration County Alcohol and Drug Program Plan]
Resolution approving the San Francisco Demonstration County Alcohol and Drug Program Plan - Fiscal 1990-91 as prepared and submitted by the Department of Public Health, Community Substance Abuse Services for submission to the State of California, Department of Alcohol and Drug Programs and authorizing and directing the President of the Board to certify said plan. (Department of Public Health)

File 30-91-6, Resolution No. 465-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ace Washington;
Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Management Audit]
Motion directing the Budget Analyst to prepare management audit of the San Francisco Redevelopment Agency. (Supervisor Maher)

Tuesday, May 28, 1991

File 165-91-4.1

(May 20, 1991 - Consideration continued to May 28, 1991.)

Adopted.

[Condominium Project]

Resolution approving final map of Crystal Villa, also known as 555 Cambridge Street, being a resubdivision of Lots 4 and 7 in Assessor's Block 5992A, (a 50-lot subdivision and two streets for dedication), and dedicating "parcel A" and "parcel B" for public streets; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-18, Resolution No. 425-91

(May 13, 1991 - Introduced in Board for consideration
on May 28, 1991.)

Adopted.

[Condominium Project]

Motion approving final map of 400 Avila Street, a condominium, being a resubdivision of Lot 32 in Assessor's Block 439A; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-17

(May 9, 1991 - Referred for consideration on May 28, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Tuesday, May 28, 1991

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-21, Resolution No. 427-91

(Arthur Coleman, member, Port Commission, May 23 - 25; John Kriken, member, Arts Commission, May 15 - 24; Jose Olmedo, member, Commission on the Aging, July 1 - August 31, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Street Closing]

Resolution authorizing temporary closing of a portion of Laguna Street, between Geary Street and Cleary Court, on Saturday, June 1, 1991, from 10:00 a.m. to 1:30 p.m. for Human Rights Demonstration at the Chinese Consulate; waiving the requirement that sponsor provide insurance.

File 42-91-23, Resolution No. 428-91

Supervisor Maher presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Larkin Street (two most westerly lanes), between Grove and McAllister Streets, on Saturday, June 8, 1991 from 6:00 a.m. to 11:00 p.m., for "Festival for Animals"; and providing for insurance.

File 42-91-24, Resolution No. 429-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

[Court Appointed Special Advocates]

Resolution acknowledging the award of a grant in the amount of \$10,000 by the California Judicial Council to the San Francisco Court Appointed Special Advocates.

File 230-91-1, Resolution No. 423-91

Supervisor Shelley presented on behalf of Supervisor Migden for immediate adoption.

Tuesday, May 28, 1991

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 8.

Absent: Supervisors Alioto, Migden, Shelley - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$115,000, Arts Commission, for other contractual services and other services (Market Street Art Maintenance and Youth Arts Funds). (Supervisor Hallinan presented.) Referred to Finance Committee.

File 101-90-120

Referred to Board

[Commendation]

Resolution commending Instituto Pro Musica for its artistic mission and endorsing its plan for a cultural exchange with Mexico. (Supervisor Alioto presented.) Referred to Board June 3, 1991 Immediate Adoption Without Committee Reference Calendar.

File 6-91-7

[Health Care Reform]

Resolution calling on Congress to enact a comprehensive national health care reform program and urging the Mayor to declare June 6, 1991 as National Health Care Action Day. (Supervisor Alioto presented.) Referred to Board June 3, 1991 Immediate Adoption Without Committee Reference Calendar.

File 13-91-9

[Abortion]

Resolution opposing the Supreme Court decision restricting the use of Federal family planning funds to organizations which provide abortions, counseling or referrals to agencies that provide abortions and requesting the Department of Public Health to provide

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reports on the impact of this decision on family planning services in San Francisco. (Supervisors Shelley, Hallinan, Hsieh, Kennedy, Achtenberg, Ward, Britt presented.) Referred to Board June 3, 1991 Immediate Adoption Without Committee Reference Calendar.

File 13-91-10

Referred to Committee

[Property Tax Administration Fee-School District]
Resolution setting fee to be paid by San Francisco Unified School District for property tax administration and directing Controller to bill San Francisco Unified School District. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the June 12, 1991 meeting.

File 182-91-2

[Long-term Plan, Reducing Jail Population]
Resolution describing Federal Court orders in Stone v. City and County of San Francisco regarding jail overcrowding and approving long term jail overcrowding plan. (Supervisor Hallinan presented on behalf of the City Attorney.) Referred to Administration and Oversight Committee.

File 195-91-2

[Ballot Measure]
Charter amendment (Skeletal) adding Section 8.408 authorizing collective bargaining on wages, hours, benefits and other terms and conditions of City employment. (Supervisor Shelley presented.) Referred to Administration and Oversight Committee.

File 229-91-1

Requests for Hearings

File 12-91-24, By Supervisor Britt: To consider endorsing SB 82, relating to property taxation. Referred to Finance Committee.

File 13-91-8, By Supervisor Alioto: To consider the issue of Nationwide Health Care Reform. Referred to City Services Committee with request it be considered at the June 4, 1991 meeting.

File 118-91-6, By Supervisor Migden: To consider requiring warning signs to be placed wherever membrane condoms are sold to alert the public that these condoms may not protect against the HIV virus. Referred to City Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

Tuesday, May 28, 1991

By Supervisor Gonzalez, that letters be sent to the Chief of Police, District Attorney, Presiding Judges of the Superior and Municipal Courts inquiring what effort or specific program is being carried out to respond to citizen complaints of increased prostitution on Capp Street.

By Supervisor Gonzalez, that City Attorney draft legislation establishing "senior crossing zones" similar to the program initiated by the Oakland City Council, whereby motorists, through a sign, will be given notice to drive slower to ensure the safety of seniors attending a facility which provides services to seniors.

By Supervisor Gonzalez, that letters be sent to General Manager, Recreation and Park Department and Director of Public Works inquiring whether additional street lighting can be installed in the vicinity of 26th and Treat Streets as a deterrence to crime.

By Supervisor Kennedy, that City Attorney prepare ordinance amending the Police Code by adding Section 102(j) to read: No landlord shall refuse to rent to any prospective tenant on the basis of income provided that the prospective tenant meets the landlord's income requirements for rental of the unit.

By Supervisor Kennedy, that City Attorney prepare ordinance amending Police Code Section 3704(b) to include audible alarm systems that are overly sensitive and activate excessively, but re-arms itself within the 15 minute time limit before police can take action. The same violation and fine should apply.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation establishing a tax on income earned within San Francisco.

By Supervisor Kennedy, that City Attorney prepare appropriate legislation establishing a tax on stock transfers.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine the feasibility of having parking signs with the time limit starting from 12:00 midnight to read 12:01 a.m. to eliminate legitimate misunderstandings of parking tickets.

By Supervisor Ward, that letter be sent to Chief Administrative Officer inquiring whether a sign can be placed upon the door facing Polk Street stating that after 5:00 p.m. entrance to the City Hall building will be on Van Ness Avenue.

By Supervisors Achtenberg and Britt, that City Attorney advise whether any buildings are currently rented or given to the Boy Scouts of America troops for pay or free of charge and whether resolution can be enacted prohibiting use of City buildings by such organization because of discrimination against gay youths.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

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Rajiv Gandhi (By the entire Board)
David Crystal (Supervisor Britt)
Sara Vogan (Supervisor Britt)
Harry E. Browning (Supervisors Gonzalez, Maher)
Frederick Roscoe (Supervisor Hallinan)

File 2-91-21

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of
6:14 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by
the Board of Supervisors on the matters stated, but not
necessarily the chronological sequence in which the matters
were taken up.

Tuesday, May 28, 1991

Approved by the Board of Supervisors on FEB 24 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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No. 22

DOCUMENTS DEPT.

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Monday, June 3, 1991
Wednesday, June 5, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 3, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Ward - 8.

Noted absent at first roll call:

Supervisors Alioto, Maher, Shelley - 3.

Quorum present.

Supervisor Alioto was noted present at 2:13 p.m.

Supervisor Maher was noted present at 2:13 p.m.

Supervisor Shelley was noted present at 2:54 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Hsieh, moved that the Journal of Proceedings for Monday, October 1, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Ward - 8.

Absent: Supervisors Alioto, Maher, Shelley - 3.

CONSENT CALENDAR

Monday, June 3, 1991

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$300,000, Water Department, for judgment and claims. (Controller)

File 101-90-98, Ordinance No. 214-91

Finally passed.

[Government Funding]

Ordinance appropriating \$9,000,000, Hetch Hetchy, to purchase power for resale and rescinding \$9,000,000 from various capital improvement projects. (Controller)

File 101-90-100, Ordinance No. 215-91

Finally passed.

[Government Funding]

Ordinance appropriating \$266,500, Chief Administrative Officer, for professional services (marketing consultant) and other contractual services (Neighborhood Beautification Graffiti Clean-up Fund); for fiscal year 1990-91. (Supervisor Gonzalez)

File 101-90-107, Ordinance No. 212-91

Finally passed.

[Parking Lot Lease Documents]

Ordinance approving and adopting Mission-Bartlett Garage legal documents and authorization to lease. (Real Estate Department)

File 47-91-7, Ordinance No. 209-91

Finally passed.

[Lake Merced Boating & Fishing Lease Amendment]

Ordinance approving the second amendment to the Lake Merced Boating and Fishing Lease with Urban Parks Concessionaires. (Recreation and Park Department)

File 62-91-2, Ordinance No. 217-91

Finally passed.

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[Memberships in Organizations]

Ordinance amending Administrative Code, establishing procedures for the membership of City and County boards, commissions, and departments in certain organizations, by requiring City boards, commissions and department heads to submit annual reports of memberships to the Mayor, the Controller and the Board of Supervisors by May 1 of each year. (Supervisor Shelley)

File 97-91-32, Ordinance No. 218-91

(Amends Section 16.6.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$8,834, Agriculture, Weights and Measure, for permanent salaries and related mandatory fringe benefits, for fiscal year 1990-91. (Controller)

File 101-90-102, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$11,750, Public Health, for medical service contracts (Critical Incident Response Team), for fiscal year 1990-91. (Supervisor Kennedy)

File 101-90-113, Ordinance No.

Passed for second reading.

Adopted

[Grant - State Funds]

Resolution authorizing the Chief Adult Probation Officer of the City and County to apply for, accept and expend funds in the amount of \$40,948 made available through the Office of Criminal Justice Planning for a project entitled "Gang Caseload Component of the Intensive Services Unit", and agreeing to provide matching funds in the amount of \$19,792. (Chief Adult Probation Officer)

File 130-91-1, Resolution No. 480-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Chief Adult Probation Officer of the City and County to retroactively apply for funds in the amount of \$5,000

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made available through the American Probation and Parole Association for a project entitled "Drug Testing". (Chief Adult Probation Officer)

File 130-91-2, Resolution No. 481-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Health, EMS Agency, to accept and expend a grant of \$14,300 from the State EMS Authority for funds to support the Pediatric Care Coalition in the development of paramedic training standards for pediatric prehospital care. (Department of Public Health)

File 146-91-16.1, Resolution No. 482-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to accept and expend a grant of \$94,772 from the State Department of Health Services for the continuation of immunization services to the residents of San Francisco, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health)

File 146-91-39, Resolution No. 456-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to apply for funds not to exceed \$70,000 available from the Library Services and Construction Act for 1991/92, for the Partnerships for Change Program. (Public Library)

File 147-91-4, Resolution No. 485-91

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Thomas F. Eden, et al., against the City and County by payment of \$165,000. (Supervisor Hallinan)

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File 45-91-26, Ordinance No.

(Superior Court No. 903-201.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Emily Rapaport against the City and County by payment of \$9,000. (City Attorney)

File 45-91-27, Ordinance No.

(Municipal Court No. 908-223.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Janeth Jones and Denine Yalon Robinson against the City and County by payment of \$27,500. (City Attorney)

File 45-91-28, Ordinance No.

(United States District Court No. C89-1934 MHP.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Linda Latney against the City and County by payment of \$7,500. (City Attorney)

File 45-91-29, Ordinance No.

(Superior Court No. 860-931)

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of British Motors in the sum of \$13,000. (City Attorney)

File 48-91-5, Resolution No. 492-91

Adopted.

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[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Maurice Edwards in the sum of \$6,816.26. (City Attorney)

File 48-91-6, Resolution No. 474-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Alioto, Hallinan, Shelley - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Tabled

[Annual Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1991. (Civil Service Commission)

File 106-91-1, Ordinance No.

(April 29, 1991 - Finally Passed;

May 10, 1991 - Returned to Board by Mayor, disapproved;

May 28, 1991 - Consideration continued to June 3, 1991.)

Suspension of the Rules

Supervisor Shelley, seconded by Supervisor Gonzalez, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Paul Varacalli so he can appraise the Board members of what has transpired between the Mayor's representatives and the employee organizations regarding a wage freeze and other matters.

Motion adopted by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Mr. Varacalli stated that various employee organizations have individually and together reached agreement with the Mayor's representatives regarding a wage freeze for this year, which hopefully will be approved by this Board. Those unions who are signators to the agreement would not oppose the freeze, with the guarantee that the salary adjustments according to the formula will be made next year, the continuation of pay equity, submittal of charter amendments concerning collective bargaining and early retirement.

The Board thereupon resumed its consideration of the above item.

Supervisor Shelley, seconded by Supervisor Achtenberg, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$2,590,309, Municipal Railway, for various capital improvement projects, for fiscal year 1990-91; placing \$1,534,746 on reserve. (Controller)

File 101-90-97, Ordinance No. 213-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Alioto, Hallinan, Shelley - 3.

[Government Funding]

Ordinance appropriating \$228,614, Police Department for capital improvement project - 911 Dispatch, Phase I and Phase II, for fiscal year 1990-91; placing \$83,106 on reserve. (Supervisor Gonzalez)

File 101-90-112, Ordinance No. 219-91

Monday, June 3, 1991

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

Passed for Second Reading

[Fiscal Impact Legislation]

Ordinance amending Administrative Code, requiring any resolution or ordinance having a fiscal impact be so indicated, requiring legislation creating a fiscal impact to be referred to the Finance Committee for consideration, requiring the sponsor of such legislation to make every effort to identify the funding source for the proposed legislation, and requiring the Budget Analyst to provide the Board of Supervisors with an analysis of the total cost of programs provided by legislation. (Supervisors Ward, Kennedy, Gonzalez, Shelley)

File 97-91-24, Ordinance No.

(Adds Section 2.6-3.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Noes: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Passed for Second Reading as Amended

[Health Service System Plans and Rates]

Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution, as adopted by the Health Service Board. (Health Service System)

File 97-91-29, Ordinance No.

(Amends Section 16.157.)

(This item requires nine votes for passage, pursuant to Charter Section 8.423.)

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

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Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

Finally Passed

[Stadium Operator Temporary Admission Tax]
Ordinance amending Part III, Municipal Code, to impose an additional temporary admission tax on any operator of athletic contests, exhibitions and other special events based upon the price of each admission ticket sold for the right to occupy a seat or space in any stadium within San Francisco for such event; providing for operative date. (Supervisors Hallinan, Achtenberg, Ward)

File 127-91-4, Ordinance No. 220-91

(Adds Section 802A.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

Adopted as Amended

[Acquisition of Real Property - Mission Armory]
((Resolution authorizing a grant of funds to the Mission Armory Foundation for the acquisition of Mission Armory for uses in connection with eligible activities under Title I of the Housing and Community Development Act of 1974 and further authorizing expenditure of \$1,806,835 from the San Francisco Urban Development Action Grant Revolving fund to acquire and develop said property; adopting findings pursuant to City Planning Code Section 101.1, and rescinding Resolutions 1118-87 and 509-89.)) (Supervisor Gonzalez)

Resolution authorizing a grant of Urban Development Action Grant Revolving Loan Funds in the amount of \$1,806,835 to the Mission Armory Foundation for the Mission Armory for uses in connection with eligible activities under Title I of the Housing and Community Development Act of 1974, adopting findings pursuant to City Planning Code Section 101.1, and rescinding Resolution 509-89.

File 216-91-1, Resolution No. 491-91

(May 28, 1991 - Consideration continued to June 3, 1991 with pending amendment of the whole entitled, "Resolution authorizing a grant of Urban Development Action Grant Revolving Loan Funds in the amount of \$1,806,835 to the Mission Armory Foundation for the Mission Armory for uses in connection with eligible activities under Title I of the Housing and Community

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Development Act of 1974, adopting findings pursuant to City Planning Code Section 101.1, and rescinding Resolution 509-89".)

The roll was called on the pending amendment of the whole, as shown above and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of Economic and Social Policy Committee

Finally Passed

(See Journal of Proceedings of July 29, 1991.)

(Supervisor Kennedy dissenting in Committee.)

[Rent Ordinance]

Ordinance amending Administrative Code, to establish limitations on initial rents for rental units, create a procedure for verification of initial rents, provide for arbitration of initial rents, expand factors to be considered by hearing officers, create a new criminal penalty and enlarge the scope of civil actions (vacancy control). (Supervisors Ward, Alioto, Migden, Achtenberg, Shelley)

File 109-91-2, Ordinance No. 210-91

(Amends Sections 37.3, 37.7, 37.8, 37.10A and 37.11A.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

From Economic and Social Policy Committee
Without Recommendation

Adopted

[Final Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that the construction of a mixed-use development consisting of 120 units of senior housing and 9,050 square feet of

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commercial/institutional uses, 4,000 square feet of community service space and ground floor parking for approximately 57 automobiles in a Planned Unit Development requiring a reclassification from a P (Public) to an NC-2 (Small-Scale Neighborhood Commercial) District in Assessor's Block 3180, Lot 1 (portion) for the property located at 11 Phelan Avenue will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 115-91-6.1, Resolution No. 479-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Migden, Ward - 6.

Noes: Supervisors Britt, Hsieh, Maher - 3.

Absent: Supervisors Gonzalez, Shelley - 2.

Passed for Second Reading

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the zoning map of the City and County of property located at 11 Phelan Avenue, northwest corner at Ocean Avenue, a portion of Lot 1, Assessor's Block 3180 from a P (Public Use) District to an NC-2 (Small-Scale Neighborhood Commercial) District and adopting findings pursuant to Section 101.1 of the Planning Code; companion measure to File 115-91-6.1. (Department of City Planning)

File 115-91-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Kennedy, Migden, Ward - 6.

Noes: Supervisors Britt, Hsieh, Maher - 3.

Absent: Supervisors Gonzalez, Shelley - 2.

From Economic and Social Policy Committee
Without Recommendation

Consideration Continued

(Supervisor Alioto excused from voting.)

[Condominium Conversions]

Ordinance amending the Subdivision Code, to create the tenant home ownership opportunity program of 1990, to exempt from the conversion

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limitations of Section 1396 for the period from the effective date of this ordinance through December 1992 the conversion of 1000 units in apartment complexes of 25 to 200 units where two-thirds of the tenants agree to the conversion, making findings with respect to the exemption, and amending the Administrative Code to provide that a landlord may not evict tenants from units converted to condominiums under Subdivision Code Section 1396B on the ground that the landlord or a relative desires to occupy the unit. (Supervisors Kennedy, Hsieh, Gonzalez, Maher)

File 126-90-1, Ordinance No.

(Amends Administrative Code Section 37.9;
Amends Subdivision Code Section 1396;
Adds Subdivision Code Section 1396B.)

(Categorically exempt from environmental review)

(October 15, 1990 - Supervisor Alioto was excused from voting by the Board.)

(January 7, 1991 - Rereferred to Committee from Board.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to June 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 9.

Excused: Supervisor Alioto - 1.

Absent: Supervisor Shelley - 1.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Annual Appropriation Ordinance]

Ordinance amending Ordinance No. 258-90 (Annual Appropriation Ordinance), to provide for the appropriation of certain interest earnings on State and Federal funds (AB 75 Tobacco Tax Fund). (Department of Public Health)

File 101-90-1.2, Ordinance No.

(Adds Section 11.16.)

Passed for second reading by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Government Funding]

Ordinance appropriating \$225,000, Public Health-Division of Mental Health Substance Abuse and Forensic Services (DMSF), for medical services contract, for fiscal year 1990-91; providing for ratification of action previously taken. (Controller)

File 101-90-103, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Medical Examiner-Coroner - Official Memberships]

Ordinance amending Administrative Code, to delete one organization and add two organizations to the membership list of the Medical Examiner-Coroner. (Chief Medical Examiner-Coroner)

File 97-91-31, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Fees]

Ordinance amending Police Code, to increase the fee for a street artist certificate. (Supervisor Hallinan)

File 121-91-1, Ordinance No.

(Amends Section 2404.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

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[Person Obligated to Tax Pay]

Ordinance amending Articles 7, 9, 12-A and 12-B of Part III of the Municipal Code, relating to the definition of persons obligated to file City tax returns and pay tax. (Tax Collector)

File 127-91-5, Ordinance No.

(Amends Sections 501(a), 601(a), 902.7 and 1002.8.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Tax Lien]

Ordinance amending Articles 7, 9, 12-A and 12-B of Part III of the Municipal Code, to provide for filing of tax liens to secure the payment of delinquent hotel, parking, payroll and business taxes. (Tax Collector)

File 127-91-6, Ordinance No.

(Amends Section 514(c), 614(c), 914 and 1014.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Partial Payment Plan - Unsecured Personal Property]

Ordinance authorizing the Tax Collector to accept partial payment of delinquent unsecured personal property taxes in the manner provided by State law. (Tax Collector)

File 166-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

Adopted

[Reimbursement to Employee]

Resolution authorizing reimbursement for cost of personal property of City and County employee damaged/stolen in line of duty. (Finance Committee)

Monday, June 3, 1991

File 51-90-4.1, Resolution No. 475-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Lease of Property]

Resolution authorizing the renewal of an existing revocable license at 450 Seventh Street, for rental of 92 parking spaces for Police Department vehicles. (Real Estate Department)

File 64-91-7, Resolution No. 476-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Lease of Real Property]

Resolution authorizing lease of real property located at #1 Jones Street (Hibernia Bank Building) for police station and administrative headquarters. (Real Estate Department)

File 64-91-9, Resolution No. 477-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Shelley - 2.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Public Health Laboratory, to retroactively accept and expend an augmentation grant of \$15,000 from the National Institutes of Health, National Center for Research Resources, for alteration and renovation of the AIDS testing Section of the Public Health Laboratory. (Department of Public Health)

File 146-91-36, Resolution No. 483-91

Adopted by the following vote:

Monday, June 3, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to retroactively apply for a grant of \$264,000 from State Department of Mental Health for AIDS/ARC residential care, Peter Claver Community, and Continuum HIV Adult Day Health Care services. (Department of Public Health)

File 146-91-40, Resolution No. 484-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Grant - State Funds]

Resolution authorizing the Department of Social Services to apply for participation in, accept and expend a new grant for a thirty-two month Family Maintenance Substance Abuse Treatment Pilot Program of the Foster Care Program Bureau, State Department of Social Services in the amount of \$159,348; providing for ratification of action previously taken. (Department of Social Services)

File 153-91-4, Resolution No. 486-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

[Grant - State Funds]

Resolution authorizing the Executive Director of Parking and Traffic to apply for, accept and expend \$472,313 of Transportation Development Act (TDA) Article 3 funds for bicycle/pedestrian projects; placing \$93,000 on reserve. (Department of Parking and Traffic)

File 192-91-1, Resolution No. 487-91

Adopted by the following vote:

Monday, June 3, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

Recommendation of Administration and Oversight Committee

Adopted

[Appointments]

Resolution appointing members to the Video Display Terminal Advisory Committee. (Administration and Oversight Committee)

File 92-91-10.2, Resolution No. 478-91

(Claire Zvanski, UPE 790 (Labor/San Francisco Central Labor Council)

Joan Moore, CWA 9410 (Labor/San Francisco Central Labor Council)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

Recommendation of City Services Committee

Passed for Second Reading

[Placement of Cigarette Vending Machines]

Ordinance amending Health Code, prohibiting the placement of cigarette vending machines in the City and County except in places to which minors have no access. (Supervisors Alioto, Hsieh)

File 118-91-5, Ordinance No.

(Adds Article 19D.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of persons appealing decision of the City Planning Commission by its Motion No. 13056, dated April 11, 1991 adopting

Monday, June 3, 1991

findings relating to the approval of a Conditional Use Application No. 89.528EC, to permit construction of 61 dwelling units and 29 live-work units as a planned unit development allowing modification of rear yard and dwelling unit exposure standards on a lot having approximately 64,500 square feet of area in an M-1 (Light Industrial) District with a 40 X Height and Bulk Designation of property at 18th and Arkansas Streets, Lot 1 in Assessor's Block 4034.

File 37-91-4

(Appeal filed May 10, 1991.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Ronald G. Davis;
Mary Cleveland;
Cathy Perry;
Steve Komer;
Susan Sherman;
Mike Webber;
Greg Gar;
Robert Steinberg
Christy McKeal
Dehnert Queen;
Jean Addie;
Bob Redford.

Respondents:

Bob Passmore, representing City Planning Commission and
Department of City Planning;
Martha Saner;
Dick Millet;
Alma Robinson;
Andrew Butler;
Daniel Bacon;
David Spero
Rita Gia
Jennifer Spangler;
Jean Kortum;
Alan Cadgene;
John Wong;
Richard Holiday;
Richard Reineccius;
Martin Ponch.

A rebuttal period was allowed.

The President then declared the hearing closed.

From City Planning Commission

Adopted

Monday, June 3, 1991

[Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that the proposed construction of a maximum of 90 housing units; 93 off-street parking spaces, a 2,645-square foot gallery/cafe on 18th Street; and an additional 3,850 square feet of commercial space at the corner of 18th Street and Arkansas Street on Assessor's Block 4034, Lot 1, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration.

File 37-91-4.4, Resolution No. 473-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noes: Supervisor Maher - 1.

From the Clerk

Adopted

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13056, dated April 11, 1991 approving Application No. 89.528EC for conditional use authorization of property located at 18th and Arkansas Streets.

File 37-91-4.1

Supervisor Kennedy, seconded by Supervisor Britt, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noes: Supervisor Maher - 1.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13056, dated April 11, 1991 approving Application No. 89.528EC for conditional use authorization of property located at 18th and Arkansas Streets.

File 37-91-4.2

Supervisor Kennedy, seconded by Supervisor Maher, moved to table.

Wednesday, June 5, 1991

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed conditional use authorization of property at 18th and Arkansas Streets, for action by the Board at its next meeting.

File 37-91-4.3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

COMMITTEE REPORT

Recommendation of Economic and Social Policy Committee

Passed for Second Reading as Amended

((Ordinance amending Police Code, by amending Section 1135 to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance No. 383-90 and will expire in June of 1991.))

[Motor Vehicles for Hire]

Ordinance amending Police Code by making findings and amending Section 1135.5 to extend the termination date of the temporary fare increase for taxicabs enacted by Ordinance No. 383-90 (60 days).

File 15-90-7, Ordinance No.

Supervisor Kennedy presented as recommendation of Economic and Social Policy Committee.

Supervisor Kennedy, seconded by Supervisor Migden, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Supervisor Maher, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Ordinance amending Police Code by making findings and amending Section 1135.5 to extend the termination date of the temporary fare increase for taxicabs enacted by Ordinance No. 383-90 (60 days)."

Amendment of the whole adopted by the following vote:

Monday, June 3, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 7.

Noes: Supervisors Britt, Kennedy, Miqden, Ward - 4.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Miqden, Ward - 9.

Absent: Supervisors Achtenberg, Shelley - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commendation]

Resolution commending Instituto Pro Musica for its artistic mission and endorsing its plan for a cultural exchange with Mexico. (Supervisor Alioto)

File 6-91-7, Resolution No. 470-91

(May 28, 1991 - Introduced in Board for consideration on June 3, 1991.)

Adopted.

[Health Care Reform]

Resolution calling on Congress to enact a comprehensive national health care reform program and urging the Mayor to declare June 6, 1991 as National Health Care Action Day. (Supervisors Alioto, Kennedy)

Monday, June 3, 1991

File 13-91-9, Resolution No. 472-91

(May 28, 1991 - Introduced in Board for consideration on June 3, 1991.)

Adopted.

[Abortion]

Resolution opposing the Supreme Court decision restricting the use of Federal family planning funds to organizations which provide abortions, counseling or referrals to agencies that provide abortions and requesting the Department of Public Health to provide reports on the impact of this decision on family planning services in San Francisco. (Supervisors Shelley, Hallinan, Hsieh, Kennedy, Achtenberg, Ward, Britt)

File 13-91-10, Resolution No. 489-91

(May 28, 1991 - Introduced in Board for consideration on June 3, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Migden, Ward - 6.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Maher, Shelley - 5.

Recess

The Board, at the hour of 6:33 p.m., recessed to reconvene at 7:00 p.m.

Reconvening of the Board

The Board, at the hour of 7:32 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noted absent:

Supervisor Maher - 1.

Monday, June 3, 1991

Quorum present.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-22, Resolution No. 457-91

(Tom Hsieh, member, Board of Supervisors, June 7-8; Michael Huerta, Executive Director, Port, May 24 - 27, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[State/Local Program Realignment]

Resolution expressing concern about the impact of the proposed State/Local program realignment on San Francisco and on health and welfare services throughout California and endorsing certain principles and conditions for realignment.

File 12-91-25, Resolution No. 458-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Ryan White AIDS Appropriation]

Resolution urging the United States Congress to appropriate \$188,000,000 in new funding for the Ryan White AIDS Care Funding Program with distribution to be \$75,000,000 for Title I; \$90,000,000 for Title II; \$18,000,000 for Title IIIB and \$5,000,000 for Title IV.

File 13-91-11, Resolution No. 471-91

Supervisor Alioto presented for immediate adoption.

Adopted.

Monday, June 3, 1991

[Civil Rights Act]

Resolution supporting the Federal Civil Rights Act now pending before the United States Congress and urging the City's elected United States representatives and senators to work for the passage of the Act.

File 13-91-12, Resolution No. 459-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Mirabel Avenue, between Coso Avenue and Shotwell Street, on Thursday, July 4, 1991, from 10:00 a.m. to 6:00 p.m., for a neighborhood block party.

File 42-91-25, Resolution No. 460-91

Supervisor Shelley presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Juniper Street, between end of Juniper Street and 50 Juniper Street, on Saturday, June 8, 1991, from 12:00 p.m. to 8:00 p.m., for a private benefit block party.

File 42-91-26, Resolution No. 461-91

Supervisor Migden presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Page Street, between Buchanan and Webster Streets, on Saturday, June 8, 1991, from 12:00 p.m. to 5:00 p.m., for Hayes Valley Community Resource Fair.

File 42-91-27, Resolution No. 462-91

Supervisor Achtenberg presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Monday, June 3, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Ward - 8.

Absent: Supervisors Gonzalez, Maher, Shelley - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Taxi Rate Increase]

Draft ordinance amending Police code by amending Section 1135 to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance No. 383-90. (Supervisor Migden presented.) Referred to Economic and Social Policy Committee.

File 15-91-6

[Grant Applications]

Ordinance amending Administrative Code by amending Section 10.170, which establishes the procedures used by the Board of Supervisors in considering and approving applications for grants by city officers, employees, boards or commissions, by requiring that all resolutions authorizing applications for grants be accompanied by a completed "Disability Access Checklist for Grant Applicants". (Supervisor Migden presented.) Referred to Finance Committee.

File 97-91-16.2

Referred to Board

[INS - HIV Restrictions]

Resolution urging the Secretary of Health and Human Services to remove HIV infection from the list of contagious diseases that can deny a person entry to the United States and urging the Justice Department to withdraw its opposition to the removal of HIV from the above-mentioned list. (Supervisor Migden presented.) Referred to Board June 10, 1991 For Adoption Without Committee Reference Calendar.

File 13-91-13

Requests for Hearings

File 13-91-14, By Supervisor Shelley: To consider family planning cuts in Federal funding. Referred to Finance Committee.

Monday, June 3, 1991

Report Requested

Report by the President of the San Francisco Unified School District on how the Board of Education intends to balance the 1991-92 budget in order to avoid the State of California taking over or interfering with the San Francisco Unified School District.

File 182-91-3

Scheduled for Board meeting of June 10, 1991, by direction of the President at the request of Supervisor Hallinan.

No objection and Clerk directed to comply.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that letter be sent to City Attorney transmitting correspondence from the Municipal and Superior Courts concerning conflict cases and inquiring whether she can respond to the following questions: are the Courts' cost per case figures based only on attorney fees? If not, what other costs are reflected in the number of cases and the cost per case (based on figures provided to us by the courts).

By Supervisor Gonzalez, that letter of inquiry be sent to the Health Commission, Director of Public Health and Director, San Francisco General Hospital to determine whether the ceiling in the therapy room of the Occupational Therapy Room at San Francisco General Hospital will be repaired immediately so that human sewage drippings from the defective men's room directly above the therapy room will cease.

By Supervisor Gonzalez, that letter be sent to Executive Director, Parking and Traffic Department, inquiring whether there are too many white, red and yellow zones in the vicinity of Viva Market (23rd Street and South Van Ness Avenue) which could be removed to permit more parking spaces for neighborhood residents.

By Supervisor Gonzalez, that letter be sent to Chief of Police and Executive Director, Parking and Traffic Department, inquiring whether appropriate enforcement will be undertaken to abate sidewalk parking in the vicinity of 21st and Treat Streets.

By Supervisor Gonzalez, that letter of inquiry be sent to Health Service System Board and its Executive Director to determine whether Davies Medical Center can be added to the list of contracting hospitals administered by the City's Preferred Health Network.

By Supervisor Kennedy, that letters of inquiry be sent to General Managers, Public Utilities Commission and Municipal Railway, to determine the feasibility of removing the condom advertisements titled "Rubberman" which features two men in their underwear.

Monday, June 3, 1991

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Lowell Edington (Supervisors Ward, Kennedy)
Peggy Ann Swartz (Supervisor Kennedy)
Eva Garcia (Supervisor Gonzalez)
Jose Coronado (Supervisor Gonzalez)

File 2-91-22

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:49 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Wednesday, June 5, 1991 - 1:30 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Hsieh, Maher, Shelley - 5.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Shelley was noted present at 1:41 p.m.

COMMUNICATION

The Clerk announced that at 10:00 a.m. today, he opened several bids for Multi purpose general obligation bonds and referred the matter to the Controller who submitted the following communication:

June 5, 1991

Honorable Art Agnos, Mayor
City and County of San Francisco
Room 200, City Hall
San Francisco, California 94102

Honorable Board of Supervisors
City and County of San Francisco
Room 235, City Hall
San Francisco, California 94102

Wednesday, June 5, 1991

Ladies and Gentlemen:

At 10:00 A.M. today a total of three (3) bids were received related to the sale of the Multi Purpose General Obligation Bonds which included, Series 1991D (Public Safety Improvement Project) of \$6,500,000; Series 1991E (Various Purpose Projects) of \$29,000,000; Series 1991F (Public Safety Improvement Projects) of \$26,500,000 and Series 1991G (Library Facilities Project) of \$6,000,000, totalling \$68,000,000. The bids received in rank order based on the calculation True Interest Cost (TIC) percentage follow:

	<u>TIC Percentage Rate</u>	<u>Total Net Interest Cost</u>
1. Merrill Lynch et al	6.49055	47,368,396
2. First Boston Corporation et al	6.4965	47,356,795
3. Prudential Banks	6.524	47,490,500

It is recommended that the bid award be given to Merrill Lynch and Associates.

Very truly yours,
/s/Edward Harrington
Controller

From the Clerk

Adopted

Resolution awarding bonds and fixing definitive interest rates for \$6,500,000 principal amount of General Obligation Bonds, (Public Safety Improvement Project, 1989) Series 1991D; \$29,000,000 principal amount of General Obligation Bonds (Various Purpose Projects), Series 1991E; \$26,500,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1990), Series 1991F and \$6,000,000 principal amount of General Obligation Bonds (Library Facilities Project), Series 1991G. (City Attorney)

File 170-91-1.1, Resolution No. 468-91

The roll was called on the resolution awarding bonds to Merrill Lynch and Company and it was adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Alioto, Hsieh, Maher - 4.

Wednesday, June 5, 1991

ADJOURNMENT

There being no further business, the Board at the hour of 1:44 p.m. adjourned.

John L. Taylor, Clerk

Approved by the Board of Supervisors on February 24, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

06/09/91

Vol. 86

No. 23

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Monday, June 10, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 10, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:08 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Ward - 8.

Noted absent at first roll call:

Supervisors Hsieh, Maher, Shelley - 3.

Quorum present.

Supervisor Hsieh was noted present at 2:09 p.m.

Supervisor Maher was noted present at 2:10 p.m.

Supervisor Shelley was noted present at 2:09 p.m.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Annual Appropriation Ordinance]
Ordinance amending Ordinance No. 258-90 (Annual Appropriation Ordinance), to provide for the appropriation of certain interest earnings on State and Federal funds (AB 75 Tobacco Tax Fund).
(Department of Public Health)

File 101-90-1.2, Ordinance No. 226-91

(Adds Section 11.16.)

Finally passed.

Monday, June 10, 1991

[Government Funding]

Ordinance appropriating \$8,834, Agriculture, Weights and Measures, for permanent salaries and related mandatory fringe benefits, for fiscal year 1990-91. (Controller)

File 101-90-102, Ordinance No. 227-91

Finally passed.

[Government Funding]

Ordinance appropriating \$11,750, Public Health, for medical service contracts (Critical Incident Response Team), for fiscal year 1990-91. (Supervisor Kennedy)

File 101-90-113, Ordinance No. 229-91

Finally passed.

[Medical Examiner-Coroner - Official Memberships]

Ordinance amending Administrative Code, to delete one organization and add two organizations to the membership list of the Medical Examiner-Coroner. (Chief Medical Examiner-Coroner)

File 97-91-31, Ordinance No. 225-91

(Amends Section 16.6-34.)

Finally passed.

[Fees]

Ordinance amending Police Code, to increase the fee for a street artist certificate. (Supervisor Hallinan)

File 121-91-1, Ordinance No. 216-91

(Amends Section 2404.1.)

Finally passed.

[Person Obligated to Tax Pay]

Ordinance amending Articles 7, 9, 12-A and 12-B of Part III of the Municipal Code, relating to the definition of persons obligated to file City tax returns and pay tax. (Tax Collector)

File 127-91-5, Ordinance No. 231-91

(Amends Sections 501(a), 601(a), 902.7 and 1002.8.)

Finally passed.

Monday, June 10, 1991

[Tax Lien]

Ordinance amending Articles 7, 9, 12-A and 12-B of Part III of the Municipal Code, to provide for filing of tax liens to secure the payment of delinquent hotel, parking, payroll and business taxes. (Tax Collector)

File 127-91-6, Ordinance No. 232-91

(Amends Section 514(c), 614(c), 914 and 1014.)

Finally passed.

[Partial Payment Plan - Unsecured Personal Property]

Ordinance authorizing the Tax Collector to accept partial payment of delinquent unsecured personal property taxes in the manner provided by State law. (Tax Collector)

File 166-91-1, Ordinance No. 233-91

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$2,804,429, Department of Social Services, for AFDC-General Assistance, for fiscal year 1990-91. (Controller)

File 101-90-105, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$1,658,476, Fire Department, Police Department, Sheriff, Purchasing, Recreation and Park, Juvenile Probation and Retirement, for services of other departments - workers compensation and rescinding \$115,727 from various appropriations, for fiscal year 1990-91. (Controller)

File 101-90-106, Ordinance No.

Passed for second reading.

[Lease Renewal]

Ordinance authorizing negotiated lease renewal of vacant commercial land identified as portion of Assessor's Block 5227 Lot 1, commonly known as 1790 Evans Avenue to M & M Auto Wreckers. (Real Estate Department)

File 65-91-4, Ordinance No.

Passed for second reading.

Monday, June 10, 1991

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that security services for the Recreation and Park Department at the San Francisco Zoo can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Recreation and Park Department)

File 25-91-21, Resolution No. 501-91

Adopted.

[Contracting Out City Services]

Resolution concurring with the Controller's certification that computer programming enhancements to the Board of Supervisors' Assessment Appeals Board system can be practically performed by private contractor for lower cost than similar work performed by City and County employees. (Board of Supervisors)

File 25-91-22, Resolution No. 469-91

Adopted.

[SBAC - Chevron Gift Acceptance]

Resolution authorizing the Small Business Advisory Commission to accept and administer a gift of \$15,000 from the Chevron Corporation to support the activities of the Commission's Green Ribbon Panel. (Small Business Advisory Commission)

File 38-91-3, Resolution No. 490-91

Adopted.

[Lease of Property]

Resolution authorizing extension of four existing leases of real property for various City departments (160 South Van Ness Avenue for Controller's Payroll and Internal Audits Division and South Van Ness and 13th Street, off-street parking lot, Valencia and Stevenson Streets, off-street parking and 1440 Harrison Street for the Department of Social Services). (Real Estate Department)

File 64-91-10, Resolution No. 506-91

Adopted.

[Lease of Property]

Resolution authorizing a new lease of real property at 555 Seventh

Monday, June 10, 1991

Street for three City departments (offices for the Public Defender's Office, Sheriff's Department and the Office of Citizen Complaints). (Real Estate Department)

File 64-91-14, Resolution No. 508-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Thomas F. Eden, et al., against the City and County by payment of \$165,000. (Supervisor Hallinan)

File 45-91-26, Ordinance No. 221-91

(Superior Court No. 903-201.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Emily Rapaport against the City and County by payment of \$9,000. (City Attorney)

File 45-91-27, Ordinance No. 222-91

(Municipal Court No. 908-223.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Janeth Jones and Denine Yalon Robinson against the City and County by payment of \$27,500. (City Attorney)

File 45-91-28, Ordinance No. 223-91

(United States District Court No. C89-1934 MHP.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Linda Latney against the City and County by payment of \$7,500. (City Attorney)

File 45-91-29, Ordinance No. 224-91

Monday, June 10, 1991

(Superior Court No. 860-931)

Finally passed.

Recommendation of City Services Committee

Finally Passed

[Placement of Cigarette Vending Machines]
Ordinance amending Health Code, prohibiting the placement of cigarette vending machines in the City and County except in places to which minors have no access. (Supervisors Alioto, Hsieh)

File 118-91-5, Ordinance No. 234-91

(Adds Article 19D.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Adopted

[Taxicab Stands]
Resolution rescinding location of taxicab stand on Union Street.
(Economic and Social Policy Committee)

File 15-91-5, Resolution No. 521-91

(Taxi Zone - Rescind
Union Street, north side, from 6 feet to 27 feet east of Hyde Street (21-foot zone).)

Adopted.

[Parking Regulations]
Resolution enacting parking regulations on various streets.
(Economic and Social Policy Committee)

File 19-91-6, Resolution No. 499-91

(Parking Meter Area #2 - Extend
Townsend Street, north side, from Seventh Street to 81 feet west (81-foot zone), from 147 feet to 215 feet west of Seventh Street (68-foot), from 4 feet to 398 feet east of eighth Street (394-foot zone), and from 408 feet to 504 feet east of eighth Street (96-foot zone).)

Adopted.

Monday, June 10, 1991

[Traffic Regulations]

Resolution rescinding traffic regulations on various streets.
(Economic and Social Policy Committee)

File 20-91-7, Resolution No. 500-91

(Tow-Away, No Stopping, 7 A.M. to 9 A.M., Monday through
Friday - Rescind
18th Street, south side, between Folsom Street and Treat Avenue.

Tow-Away, No Stopping Anytime - Rescind
Beale Street, west side, from 104 feet to 166 feet south of
Mission Street (26-foot zone).

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking
Area "H" in the Lakeside area; and adding Borica Street, between
Holloway Avenue and Urbano Drive, both sides to the list of streets
upon which time limitations shall apply. (Department of Parking and
Traffic)

File 40-91-2, Resolution No. 503-91

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking
Area "G" in the Pacific Heights area; and adding Laguna Street,
between Bush and Sutter Streets, east side and Presidio Avenue,
between Bush and Sutter Streets, east side to the list of streets
upon which time limitations shall apply. (Department of Parking and
Traffic)

File 40-91-3, Resolution No. 504-91

Adopted.

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking
Area "V" in the Balboa Park area; and adding to the list of streets
upon which time limitations shall apply. (Economic and Social
Policy Committee)

File 40-91-4, Resolution No. 505-91

(Cayuga Avenue, between Ottawa and Foote Avenues, both sides;
Mount Vernon Avenue, between Cayuga Avenue and Alemany
Boulevard, both sides; Niagara Avenue, between Cayuga Avenue and
Alemany Boulevard both sides; Oneida Avenue, between the east

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property line of San Jose Avenue and a point 199 feet easterly, south side; Ottawa Avenue, between Cayuga Avenue and Alemany Boulevard, both sides; Rome Street, between the north terminus of Rome Street and the west terminus of Rome Street, both sides and San Jose Avenue, beginning at a point approximately 135 feet south of the south property line of Oneida Avenue to 60 feet southerly, east side.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$225,000, Public Health-Division of Mental Health Substance Abuse and Forensic Services (DMSF), for medical services contract, for fiscal year 1990-91; providing for ratification of action previously taken. (Controller)

File 101-90-103, Ordinance No. 228-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Fiscal Impact Legislation]

Ordinance amending Administrative Code, requiring any resolution or ordinance having a fiscal impact be so indicated, requiring legislation creating a fiscal impact to be referred to the Finance Committee for consideration, requiring the sponsor of such legislation to make every effort to identify the funding source for the proposed legislation, and requiring the Budget Analyst to provide the Board of Supervisors with an analysis of the total cost of programs provided by legislation. (Supervisors Ward, Kennedy, Gonzalez, Shelley)

File 97-91-24, Ordinance No.

Monday, June 10, 1991

(Adds Section 2.6-3.)

Supervisor Alioto, seconded by Supervisor Britt, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote: .

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Maher - 6.

Noes: Supervisors Gonzalez, Kennedy, Migden, Shelley, Ward - 5.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisor Maher - 1.

Absent: Supervisor Britt - 1.

Finally Passed

[Health Service System Plans and Rates]
Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution, as adopted by the Health Service Board. (Health Service System)

File 97-91-29, Ordinance No. 236-91

(Amends Section 16.157.)

(This item requires nine votes for passage, pursuant to Charter Section 8.423.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Motor Vehicles for Hire]
Ordinance amending Police Code by making findings and extending the termination date of the temporary fare increase for taxicabs enacted by Ordinance No. 383-90 (60 days). (Supervisor Kennedy)

File 15-90-7, Ordinance No. 211-91

Monday, June 10, 1991

(Amends Section 1135.5.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

From Economic and Social Policy Committee
Without Recommendation

Finally Passed

(See Journal of Proceedings of July 29, 1991.)

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the zoning map of the City and County of property located at 11 Phelan Avenue, northwest corner at Ocean Avenue, a portion of Lot 1, Assessor's Block 3180 from a P (Public Use) District to an NC-2 (Small-Scale Neighborhood Commercial) District and adopting findings pursuant to Section 101.1 of the Planning Code. (Department of City Planning)

File 115-91-6, Ordinance No. 230-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Britt - 1.

From the Clerk

Adopted

[Affirming Conditional Use Authorization]

Motion adopting findings related to the appeal of the City Planning Commission's decision approving Conditional Use Application No. 89.528EC authorizing construction of sixty-one dwelling units and twenty-nine live/work units as a planned unit development on property located on Arkansas Street, between 18th and 19th Streets.

File 37-91-4.5

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Monday, June 10, 1991

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$4,181,000, Department of Social Services, for General Assistance; providing for ratification of action previously taken, for fiscal year 1990-91. (Controller)

File 101-90-104, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Government Funding]

Ordinance appropriating \$66,674, Department of Public Health, for other contractual services, travel, telephone, materials and supplies, rental of property, equipment purchase, data processing equipment, equipment lease/purchase and services of other departments - Real Estate. (Controller)

File 101-90-109, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Lease of Real Property]

Resolution authorizing a new lease of real property at 1540 Market Street for the Department of Public Health; companion measure to File 101-90-109. (Real Estate Department)

File 64-91-13, Resolution No. 507-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Monday, June 10, 1991

Consideration Continued

[Government Funding]

Ordinance appropriating \$82,393, Retirement System, for non-work order services of other departments - City Attorney services, for fiscal year 1990-91. (Controller)

File 101-90-110, Ordinance No.

Supervisor Migden, seconded by Supervisor Achtenberg, moved to continue consideration to June 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$115,000, Art Commission for other contractual services and other services (Market Street Art Maintenance and Youth Arts Fund), for fiscal year 1990-91; providing for ratification of action previously taken; placing \$15,000 on reserve. (Supervisor Hallinan)

File 101-90-120, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Adopted

[Authorization of Expenditures]

Resolution authorizing expenditures of funds of \$65,000 by the Art Commission for the Youth Arts Fund; companion measure to File 101-90-120. (Supervisor Hallinan)

File 132-91-4, Resolution No. 510-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

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[Market Street Arts; Maintenance Fund]
Resolution authorizing expenditures of \$50,000 by the Art Commission from the Market Street Arts Maintenance Fund for various projects (maintenance of historic monuments and transit shelter art program); companion measure to File 101-90-120. (Supervisor Hallinan)

File 132-91-5, Resolution No. 511-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Official Memberships]
Ordinance amending Administrative Code, to add twenty-one organizations to the membership list of the Department of Public Works. (Department of Public Works)

File 97-91-34, Ordinance No.

(Amends Section 16.6-9.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Memberships - Department of Electricity]
Ordinance amending Administrative Code, adding six organizations represented by the Department of Electricity. (Department of Electricity)

File 97-91-36, Ordinance No.

(Amends Section 16.6-28.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Part III Municipal Code - Revenue and Finance]
Ordinance amending Part III Municipal Code (Revenue and Finance),

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relating to license food establishments, swimming pools, private ambulances and cross connection control devices and testers.
(Department of Public Health)

File 127-91-7, Ordinance No.

(Amends Sections 35, 248, 249.1, 249.7, 249.8 and 249.14.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Emergency Work]

Resolution authorizing the Director of Public Health and Laguna Honda Hospital to take necessary measures to protect the health, welfare and property of the citizens of San Francisco by performing the necessary asbestos abatement work to maintain a safe environment at Laguna Honda Hospital. (Department of Public Health)

File 28-91-9, Resolution No. 502-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Annual Audit - Controller's Books]

Resolution ordering Annual Audit of Controller's books, declaring intention of the Board of Supervisors to order an Annual Audit of Controller's books and enter into a three year contract with a consortium of accounting firms. (Controller)

File 95-91-1, Resolution No. 509-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted as Amended

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Bureau of Toxics, Health and Safety Services, to accept and expend a grant of \$225,940 which includes indirect costs in the amount of \$26,632

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based on 20 percent of personnel costs from the State Water Resources Control Board, Division of Clean Water Programs, for local oversight cleanup activities at leaking underground storage tank sites funded by the grant, to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services, and to authorize the Director of Health to execute the State Water Resources Board contract on behalf of the City and County((; placing \$6,800 on reserve)), which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses and damages accruing or resulting in connection with the City's performance of the contract. (Department of Public Health)

File 146-91-41, Resolution No. 512-91

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved an amendment of the whole entitled, "Resolution authorizing the Department of Public Health, Bureau of Toxics, Health and Safety Services, to accept and expend a grant of \$225,940 which includes indirect costs in the amount of \$26,632 based on 20 percent of personnel costs from the State Water Resources Control Board, Division of Clean Water Programs, for local oversight cleanup activities at leaking underground storage tank sites funded by the grant, to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services, and to authorize the Director of Health to execute the State Water Resources Board contract on behalf of the City and County, which contract provides that the City shall indemnify, defend and hold the State harmless from any and all claims, losses and damages accruing or resulting in connection with the City's performance of the contract."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[Grant - Federal through the State]
Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to apply for a grant up to the amount of \$9,979,190 from the U.S. Department of Health and Human Services Office of Treatment Improvement through the State of California, Department of Alcohol and Drug Programs to enhance and expand drug treatment services to adolescents who have committed offenses or crimes, or are at risk for doing so. (Department of Public Health)

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File 146-91-42, Resolution No. 513-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Homeless Program, to accept and expend as sub-grantee, with San Francisco Community Clinic Consortium as prime grantee, a continuation augmentation to a grant of \$193,808 from the Federal Public Health Services Funds, for primary health care and substance abuse services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health)

File 146-91-43, Resolution No. 514-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal through the State]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to apply for a grant up to the amount of \$2,547,878 from the U.S. Department of Health and Human Services Office of Treatment Improvement through the State of California, Department of Alcohol and Drug Programs to enhance and expand model drug treatment services to residents of public housing. (Department of Public Health)

File 146-91-44, Resolution No. 515-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Special Programs for Youth, to retroactively apply for a grant of \$400,000 which includes indirect costs in the amount of \$51,020 which represents 20 percent of personnel costs, from the Centers for Disease Control, for an "Epidemiologic Study of

Monday, June 10, 1991

HIV Infection in Adolescents and Young Adults" and to authorize the expenditure of grant funds to establish and finance civil service positions for the provisions of these services. (Department of Public Health)

File 146-91-45, Resolution No. 516-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Park and Open Space Fund]

Resolution concurring with general recommendations on the Park and Open Space Fund for Fiscal Year 1991-92, reserving approval or disapproval on specific acquisitions. (Recreation and Park Commission)

File 168-91-2, Resolution No. 517-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Consideration Continued

(Supervisor Gonzalez dissenting in Committee.)

[General Obligation Bonds]

Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: to provide loans or grants for the construction or reconstruction of unreinforced masonry buildings for multi-family housing and commercial purposes; that the estimated cost of ninety-five million dollars (\$95,000,000) for said municipal improvement is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; provided, however, that no more than thirty-two million dollars (\$32,000,000) of this authorization shall be sold in any one fiscal year. (Supervisor Ward)

File 170-91-3, Resolution No.

Supervisor Ward, seconded by Supervisor Maher, moved to continue consideration to June 17, 1991.

Motion to continue adopted by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Hsieh - 1.

Recommendation of Economic and Social Policy Committee

Adopted

[Early Fraud Detection Program]

Resolution urging the Mayor to review and investigate the feasibility and effectiveness of the Department of Social Services' Early Fraud Detection (FRED) Program and to report to the Board of Supervisors any findings and recommendations that may be made, and requesting the Budget Analyst to review and analyze the cost effectiveness of the FRED Program. (Supervisors Kennedy, Migden, Shelley)

File 107-90-2.1, Resolution No. 522-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

From Economic and Social Policy Committee
Without Recommendation

Adopted as Amended

[Cultural Affairs Task Force]

Resolution amending Resolution No. 229-91, establishing a Cultural Affairs Task Force, by expanding its membership to include ((13)) 32 additional members. (Supervisor Hallinan)

File 174-91-3, Resolution No. 518-91

(Adds ((13)) 32 members for a total of ((40)) 59.)

Supervisor Hallinan, seconded by Supervisor Migden, moved an amendment of the whole which would expand membership of the Cultural Affairs Task Force by 31 additional members.

Supervisor Hallinan, seconded by Supervisor Migden, at the suggestion of Supervisor Kennedy, moved to amend the pending amendment of the whole to add "one appointee of the Labor for Art".

Motion to amend the pending amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

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Amendment of the whole, as further amended, adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Tabled

[Cultural Affairs Task Force]
Resolution amending Resolution No. 229-91, establishing a Cultural Affairs Task Force, by expanding its membership to include a designee of each member of the Board of Supervisors and an appointee from each of the various organizations. (Supervisors Maher, Kennedy)

File 174-91-3.1, Resolution No.

(Adds 10 members for a total of 37.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

SPECIAL ORDER - 3:00 P.M.

From the President

Report Received; Filed

Report on how the Board of Education intends to balance the 1991-92 budget in order to avoid the State of California taking over or interfering with the San Francisco Unified School District. (Supervisor Hallinan)

File 182-91-3

Board of Education President Joanne Miller thanked the Supervisors for the opportunity to address the funding needs of the school district and for enacting legislation placing a surcharge on all 49ers and Giants tickets to save school sports programs.

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Ms. Miller spoke briefly on the need to look for other methods of generating funds for education and urged the Supervisors to support a proposed ballot measure, as allowed by State law, to increase the sales tax an extra quarter-cent for a period of two years which can bring in an estimated \$16 million annually for schools.

Another proposal to generate funding is to encourage businesses to adopt individual teachers by paying their salaries and benefits.

In response to Supervisor Hallinan, President Miller indicated they will know by next week what monies will be forthcoming from the State and the Board of Education intends to have a balanced budget.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Evelyn Wilson;
John Bardis.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[INS - HIV Restrictions]

Resolution urging the Secretary of Health and Human Services to remove HIV infection from the list of contagious diseases that can deny a person entry to the United States and urging the Justice Department to withdraw its opposition to the removal of HIV from the above-mentioned list. (Supervisors Migden, Shelley)

File 13-91-13, Resolution No. 498-91

(June 3, 1991 - Introduced in Board for consideration on
June 10, 1991.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was acted upon by the following vote:

Monday, June 10, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Ward - 7.

Absent: Supervisors Britt, Maher, Migden, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-23, Resolution No. 493-91

(Roberta Achtenberg, member, Board of Supervisors, June 17 - 20; Angela Alioto, member, Board of Supervisors, June 5 - 9; Peter Ashe, member, Retirement Board, June 25 - 26; Henry Berman, member, Fire Commission, June 3 - 7; Arnold Chin, member, Parking and Traffic, May 29 - June 6; Michael Huerta, Executive Director, Port, May 24 - 27; Eddie Powell, member, Film and Video Arts Commission, June 7 - 9 and June 17 - 28; L.A. Turpen, Director of Airports, June 30 - July 8, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Commendation]

Commending Glover Klemmer for a lifetime of excellence in his athletic performances at Galileo High School, in San Francisco, and the University of California, at Berkeley; for his world supremacy as a 440 yard and 400 meter runner; and for his devotion to athletics in his professional career as a coach and administrator and recommending the Bay Area Sports Hall of Fame elect and induct Grover Klemmer as a member.

File 6-91-8, Resolution No. 494-91

Supervisors Ward, Migden, Shelley, Hallinan presented for immediate adoption.

Adopted.

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[Emergency Work]

Resolution authorizing the Director of the Department of Public Works to take necessary measures to protect the health, safety and welfare of citizens of the City and County of San Francisco and of the County of San Mateo by performing necessary work to abate fire, health, life safety and sewage effluent hazards at Log Cabin Ranch in La Honda.

File 28-91-8.1, Resolution No. 488-91

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Bird Street, between Dearborn Street and to the end of Bird Street, on Thursday, June 20, 1991, from 10:00 a.m. to 2:00 p.m., for a ceremony marking donation of garden.

File 42-91-28, Resolution No. 495-91

Supervisor Achtenberg presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Danvers Street, between Caselli and 19th Streets, on Saturday, June 15, 1991, from 10:00 a.m. to 2:00 p.m., for a block party.

File 42-91-29, Resolution No. 496-91

Supervisor Achtenberg presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Claude Lane, between Bush and Sutter Streets, on Friday, June 21, 1991, from 6:00 p.m. to Saturday, June 22, 1991 at midnight, for a Jazz Festival.

File 42-91-30, Resolution No. 497-91

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Ward - 7.

Absent: Supervisors Britt, Maher, Migden, Shelley - 4.

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OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Workers Compensation]

Ordinance amending Administrative Code by adding Sections 16.83-1 through 16.83-4, relating to City employee workers compensation costs. (Supervisor Hsieh presented.) Referred to Administration and Oversight Committee.

File 97-91-38

[Conflict of Interest Code]

Ordinance amending Administrative Code by adding Section 58.207 to add the Film and Video Arts Commission to the agencies with disclosure responsibilities under the Conflict of Interest Code of the City and County. (Supervisor Alioto presented.) Referred to Administration and Oversight Committee.

File 97-91-39

[Film and Video Arts Commission]

Ordinance amending Administrative Code by amending Sections 57.2, 57.3, 57.4, 57.5, 57.6, 57.8, 57.11 and 57.13 to clarify powers of the Film and Video Arts Commission, to permit film companies to enter into use agreements with Executive Director, to conform Chapter 57 of the Administrative Code with the Charter and other applicable regulations of the City and County and to correct clerical errors. (Supervisor Alioto presented.) Referred to City Services Committee.

File 97-91-40

[Pay Equity Legally-mandated Adjustments]

Ordinance providing for pay equity adjustments to the schedules of compensation for persons employed by the City and County, the San Francisco Unified School District and the San Francisco Community College District effective July 1, 1991, as provided for in Charter Section 8.407-1 and contractually mandated by memoranda of understanding. (Supervisors Achtenberg and Alioto presented.) Referred to Administration and Oversight Committee.

File 106-91-4

[Water Reclamation and Reuse]

Draft ordinance establishing requirements for water reclamation and recycling by government, commercial and industrial water users.

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(Supervisor Achtenberg presented.) Referred to City Services Committee.

File 188-91-2

[SF Bay Area Poison Control]

Resolution urging Alameda, Contra Costa, Del Norte, Humboldt, Marin, Mendocino, Napa, San Mateo and Sonoma Counties to identify funding sources to assist in funding the San Francisco Bay Area Regional Poison Control Center and urging the Director of the Department of Public Health to utilize SB 12 EMS discretionary funding to ensure continued access to poison control services for San Franciscans. (Supervisor Shelley presented.) Referred to Finance Committee.

File 12-91-26

Referred to Board

[Federal Child Care Money]

Resolution urging the Governor of California to name a lead state agency as expeditiously as possible so that California and San Francisco can use all child care federal funding which will be available through the Omnibus Reconciliation Act of 1990. (Supervisor Achtenberg presented.) Referred to Board June 17, 1991 Immediate Adoption Without Committee Reference Calendar.

File 12-91-27

[Federal Child Care Money]

Declaring that the Board of Supervisors intends to participate co-jointly with the San Francisco Unified School District in the local planning efforts regarding the Omnibus Reconciliation Act of 1990. (Supervisor Achtenberg presented.) Referred to Board June 17, 1991 Immediate Adoption Without Committee Reference Calendar.

File 12-91-28

Referred to Committee

[Vehicle Registration Fee]

Resolution electing to receive \$1.00 fees for locally registered vehicles pursuant to California Vehicle Code Section 9250.14 to be used for vehicle theft coverage. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the June 12, 1991 meeting.

File 97-91-37.1

[Day Camp for Children at Candlestick Park]

Resolution urging the Mayor to urge the Recreation and Park Commission to use funds available to the Commission to establish a summer day camp for children 13 and older at Candlestick Park this

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summer, and requesting the Commission to advise the Board of the success of the Commission's efforts to establish the camp. (Supervisors Alioto and Migden presented.) Referred to Finance Committee.

File 193-91-5

[Disability Pay]

Resolution urging the Civil Service Commission to review its disability leave rules so that City employees do not receive more net income when in industrial disability leave than when working. (Supervisor Hsieh presented.) Referred to Administration and Oversight Committee.

File 222-91-2

Requests for Hearings

File 174-91-4, By Supervisor Achtenberg: To consider establishing a Child Care and Development Planning Council to develop a plan which will govern the allocation of funds made available under the Omnibus Budget Reconciliation Act of 1991 (The Child Care and Development Block Grant and Title IVA At-Risk Child Care Program). Referred to City Services Committee.

File 207-91-2, By Supervisor Hsieh: To consider the Police Department's redistricting plan for its police stations and the establishment of the Tenderloin Station. Referred to City Services Committee with request it be considered as soon as possible.

File 231-91-1, By Supervisor Ward: To consider elder abuse. Referred to City Services Committee.

Report Requested; Referred to Board

Report by the Mayor's Director of Finance on the status of meetings in Sacramento concerning funding for the City and County; such as, realignment and trial court funding.

File 12-91-29

Supervisor Kennedy presented.

Supervisor Kennedy, seconded by Supervisor Alioto, moved that the Mayor's Director of Finance be requested to appear before the Board on June 17, 1991.

No objection and motion carried.

The President directed it be scheduled as a Special Order of Business.

Monday, June 10, 1991

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney review the cablevision franchise and advise whether a fee is charged Viacom when they tear up the streets and how much Viacom pays the City in franchise fees.

By Supervisor Migden, that letters of inquiry be sent to Director, War Memorial Performing Arts Center and General Manager, Civil Service, to determine the status of the sex discrimination complaint filed by Ms. Lyn Shimizu, an electrician employed by the War Memorial.

By Supervisor Migden, that letter be sent to Director, Human Rights Commission, inquiring about the status of a complaint of discrimination against Cohrssen Environmental Services.

By Supervisor Alioto, that letter of inquiry be sent to Executive Director, Department of Parking and Traffic, to determine the feasibility of installing Stop signs at the intersection of Jackson and Lyon Streets and requesting any appropriate background information on this subject.

By Supervisor Alioto, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine whether the timing of the signal lights along 19th Avenue can be changed to ease congestion and reduce pollution.

By Supervisor Hsieh, that letter be sent to the Police Commission urging the Commission to not implement the proposed precinct-redistricting proposal until after the Board of Supervisors holds hearings on this matter.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Bernard Averbuch (By the entire Board)
Joseph Sommers (Supervisor Ward)

File 2-91-23

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:08 p.m. adjourned.

John L. Taylor, Clerk

Monday, June 10, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 16, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, June 17, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 17, 1991 - 10:00 a.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 10:17 a.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Shelley,
Ward - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Britt, Hsieh, Maher, Migden.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Britt was noted present at 10:24 a.m.

Board of Supervisors Sitting as a Committee of the Whole

Consideration Continued

[Minority, Women and Local Business Enterprises - Prime Contracts]
Ordinance amending the Administrative Code, relating to the procurement of goods and services and the award of public contracts by the City and County from Minority Business Enterprises, Women Business Enterprises, and Local Business to include Asian Indians as Asians. (Supervisors Kennedy, Migden)

File 97-90-51.1, Ordinance No.

(Amends Section 12D.5.)

Supervisor Gonzalez, seconded by Supervisor Alioto, moved that the Board resolve itself into a Committee of the Whole.

Motion adopted by the following vote:

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Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Shelley,
Ward - 6.

Absent: Supervisors Achtenberg, Britt, Hsieh, Maher, Migden - 5.

The President opened the public hearing and the privilege of the floor was granted to the following persons:

Edwin Lee;
Mara Rosales;
Executive Director, Lawyers Committee;
Rai Sahai;
Donald Fung;
Ron Takaki;
Swan Lee;
Gary Gee;
Rev. Thomas Mann;
Rai Desai;
Darshan Singh;
Harold Yee.

The President inquired if there was anyone else present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Supervisor Hallinan, seconded by Supervisor Alioto, moved that the Committee of the Whole rise and report without recommendation.

No objection and motion carried.

Supervisor Hallinan, seconded by Supervisor Alioto, moved to continue consideration to June 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Shelley,
Ward - 6.

Absent: Supervisors Achtenberg, Gonzalez, Hsieh, Maher,
Migden - 5.

ADJOURNMENT

There being no further business, the Board at the hour of 11:20 a.m. adjourned.

John L. Taylor, Clerk

Monday, June 17, 1991

Approved by the Board of Supervisors on _____

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, June 17, 1991

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 17, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Ward - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Hallinan, Migden, Shelley - 5.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Alioto was noted present at 2:22 p.m.

Supervisor Hallinan was noted present at 2:18 p.m.

Supervisor Migden excused. (See infra.)

Supervisor Shelley was noted present at 2:17 p.m.

Supervisor Migden Excused

The Clerk announced that Supervisor Migden was called out of town and requested she be excused from attending today's meeting.

Supervisor Maher, seconded by Supervisor Kennedy, moved to excuse Supervisor Migden from attendance.

Motion to excuse Supervisor Migden from attendance adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Alioto, Hallinan, Migden - 4.

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APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Maher, moved that the Journal of Proceedings for Tuesday, October 9, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Alioto, Hallinan, Migden - 4.

COMMUNICATION

Date of Joint Public Hearing Fixed

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; allow accessory parking as a permitted use for the Oriental Warehouse; require the Agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan. (Redevelopment Agency)

File 151-91-2, Ordinance No.

The Clerk presented a communication from the San Francisco Redevelopment Agency transmitting the proposed Rincon Point - South Beach Redevelopment Plan amendment, together with Redevelopment Agency Resolution 118-91, which requests the Board's consent to conduct a joint public hearing with the Redevelopment Agency in order to obtain public commentary on the proposed Redevelopment Plan amendment.

The Board normally fixes the date for the joint public session by motion adopted in Board.

Thereupon, Supervisor Kennedy, seconded by Supervisor Maher, moved that the Board of Supervisors and the San Francisco Redevelopment Agency conduct a joint public hearing of the proposed Rincon Point - South Beach Redevelopment Plan amendment on July 15, 1991 at 3:00 p.m.

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No objection and motion carried.

SPECIAL ORDER - 2:00 P.M.

From the President

Report Received; Filed

Report by the Mayor's Director of Finance on the status of meetings in Sacramento concerning funding for the City and County; such as, realignment and trial court funding. (Supervisor Kennedy)

File 12-91-29

Mr. Sam Yockey, Director of Finance, presented a report on the status of the State budget for 1991-92 and the impact it would have on the City and County of San Francisco (copy which is on file in the office of the Clerk of the Board of Supervisors).

Mr. Yockey indicated the State budget is still pending before the legislature and highlighted the various proposals having a direct impact on the City and County if the State budget was passed today; such as, the realignment proposal, reduction in City and County vehicle license fees, trial court funding and equity in financing county costs. There are numerous other budget issues pending but they are of lesser fiscal consequence. The Mayor's Office and the City Lobbyist are continuing to monitor actions in Sacramento and will keep the Board informed.

Supervisor Kennedy thanked Mr. Yockey for his report.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Shelley requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Consideration Continued

[Award of Lease]

Resolution accepting bid of City Park in response to call for bids for lease of Union Square Parking Garage and awarding said lease to said bidder as the highest and best responsible bidder. (Real Estate Department)

File 47-91-8, Resolution No.

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Supervisor Shelley, seconded by Supervisor Gonzalez, moved to continue consideration to June 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$2,804,429, Department of Social Services, for AFDC-General Assistance, for fiscal year 1990-91. (Controller)

File 101-90-105, Ordinance No. 242-91

Finally passed.

[Government Funding]

Ordinance appropriating \$1,658,476, Fire Department, Police Department, Sheriff, Purchasing, Recreation and Park, Juvenile Probation and Retirement, for services of other departments - workers compensation and rescinding \$115,727 from various appropriations, for fiscal year 1990-91. (Controller)

File 101-90-106, Ordinance No. 343-91

Finally passed.

[Government Funding]

Ordinance appropriating \$66,674, Department of Public Health, for other contractual services, travel, telephone, materials and supplies, rental of property, equipment purchase, data processing equipment, equipment lease/purchase and services of other departments - Real Estate. (Controller)

File 101-90-109, Ordinance No. 235-91

Finally passed.

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[Lease Renewal]

Ordinance authorizing negotiated lease renewal of vacant commercial land identified as portion of Assessor's Block 5227 Lot 1, commonly known as 1790 Evans Avenue to M & M Auto Wreckers. (Real Estate Department)

File 65-91-4, Ordinance No. 238-91

Finally passed.

[Official Memberships]

Ordinance amending Administrative Code, to add twenty-one organizations to the membership list of the Department of Public Works. (Department of Public Works)

File 97-91-34, Ordinance No. 239-91

(Amends Section 16.6-9.1.)

Finally passed.

[Memberships - Department of Electricity]

Ordinance amending Administrative Code, adding six organizations represented by the Department of Electricity. (Department of Electricity)

File 97-91-36, Ordinance No. 240-91

(Amends Section 16.6-28.)

Finally passed.

[Part III Municipal Code - Revenue and Finance]

Ordinance amending Part III Municipal Code (Revenue and Finance), relating to license food establishments, swimming pools, private ambulances and cross connection control devices and testers. (Department of Public Health)

File 127-91-7, Ordinance No. 244-91

(Amends Sections 35, 248, 249.1, 249.7, 249.8 and 249.14.)

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$151,000, Airports Commission, for overtime, for fiscal year 1990-91. (Controller)

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File 101-90-111, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$2,215,000, Cleanwater Program, for capital improvement project (Islais Creek Transport Design), for fiscal year 1990-91. (Controller)

File 101-90-118, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$52,638, Department of Public Health, for permanent salaries and related mandatory fringe benefits, for fiscal year 1990-91. (Controller)

File 101-90-122, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance reducing \$1,516,882, Department of Public Health - San Francisco General Hospital, from Stores Fund (materials and supplies), for fiscal year 1990-91. (Controller).

File 101-90-123, Ordinance No.

Passed for second reading.

Adopted

[Contract]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensics to extend the terms of certain health service contracts on an interim month-to-month basis. (Department of Public Health)

File 30-91-8, Resolution No. 539-91

Adopted.

[Gift Acceptance]

Resolution authorizing the Department of Health, AIDS Office, to accept a gift of medicine valued at \$53,200 from Burroughs Wellcome Company for the provision of the AIDS drug Retrovir (AZT) to eligible AIDS patients and HIV seropositive individuals. (Department of Public Health)

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File 38-91-4, Resolution No. 541-91

Adopted.

[Lease of Property]

Resolution authorizing the extensions of six certain existing leases for use of real property for various City departments. (Real Estate Department)

File 64-91-11, Resolution No. 545-91

Adopted.

[Lease of Property]

Resolution authorizing lease of real property at 948 Pacific Avenue for the Police Department's Senior Escort-Outreach Program. (Real Estate Department)

File 64-91-12, Resolution No. 546-91

Adopted.

[Lease of Property]

Resolution authorizing extension of an existing lease at 1975-99 Bryant Street for the Traffic Engineering Division of the Department of Parking and Traffic. (Real Estate Department)

File 64-91-15, Resolution No. 547-91

Adopted.

[Lease of Property]

Resolution authorizing extension of 3000 Third Street sublease for the Public Utilities Commission, for storing and maintenance of Municipal Railway buses. (Real Estate Department)

File 64-91-16, Resolution No. 548-91

Adopted.

[Grant - State Funds]

Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of \$112,970 made available through the Office of the Attorney General for the operation of a project entitled "Child Victim Witness Investigative Pilot Project", for the twelve month period July 1, 1991 through June 30, 1992. (Mayor)

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File 138-91-3, Resolution No. 556-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Director of Public Works to apply for grant funds in the amount of \$38,760, for street tree planting under the California Wildlife, Coastal and Parkland Conservation Bond Act of 1988 (Proposition 70) and President Bush's 1990 Initiative on America The Beautiful (ATB), to replace a portion of San Francisco's urban forest that was damaged by severe frost during the Winter of 1990-91, known as the "Arctic Express". (Department of Public Works)

File 148-91-11, Resolution No. 519-91

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Pauline Lomba against the City and County by payment of \$6,500. (City Attorney)

File 45-91-30, Ordinance No.

(Superior Court No. 908-545)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Laura Toland against the City and County by payment of \$6,500. (City Attorney)

File 45-91-33, Ordinance No.

(Superior Court No. 925-976)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of William A. Arietta V. David F. Johnson, U-Haul Rentals, et al., upon receipt of the sum of \$7,500 and dismissal of complaint. (City Attorney)

File 46-91-7, Ordinance No.

(Superior Court No. 911-032)

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Passed for second reading.

Recommendation of Economic and Social Policy Committee

Adopted

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-91-5, Resolution No. 544-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$4,181,000, Department of Social Services, for General Assistance; providing for ratification of action previously taken, for fiscal year 1990-91. (Controller)

File 101-90-104, Ordinance No. 241-91

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

[Government Funding]

Ordinance appropriating \$115,000, Art Commission for other contractual services and other services (Market Street Art

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Maintenance and Youth Arts Fund), for fiscal year 1990-91; providing for ratification of action previously taken; placing \$15,000 on reserve. (Supervisor Hallinan)

File 101-90-120, Ordinance No. 237-91

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Consideration Continued

[Fiscal Impact Legislation]

Ordinance amending Administrative Code, requiring any resolution or ordinance having a fiscal impact be so indicated, requiring legislation creating a fiscal impact to be referred to the Finance Committee for consideration, requiring the sponsor of such legislation to make every effort to identify the funding source for the proposed legislation, and requiring the Budget Analyst to provide the Board of Supervisors with an analysis of the total cost of programs provided by legislation. (Supervisors Ward, Kennedy, Gonzalez, Shelley)

File 97-91-24, Ordinance No.

(Adds Section 2.6-3.)

Supervisor Ward, seconded by Supervisor Kennedy, moved to continue consideration to July 1, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Rereferred to Committee

(Supervisor Gonzalez dissenting in Committee.)

[General Obligation Bonds]

Resolution determining and declaring public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvements, to wit: to provide loans or grants for the construction or reconstruction of unreinforced masonry buildings for multi-family housing and commercial purposes; that the estimated cost of ninety-five million dollars (\$95,000,000) for said municipal improvement is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness; provided, however, that no

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more than thirty-two million dollars (\$32,000,000) of this authorization shall be sold in any one fiscal year. (Supervisor Ward)

File 170-91-3, Resolution No.

Supervisor Ward, seconded by Supervisor Maher, moved to rerefer to Finance Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

NEW BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Government Funding]

Ordinance appropriating \$1,000,000, Department of Parking and Traffic, for capital improvement project (San Francisco General Hospital Parking Facility), for fiscal year 1990-91; placing \$1,000,000 on reserve. (Controller)

File 101-90-114, Ordinance No.

Supervisor Alioto, seconded by Supervisor Shelley, moved to continue consideration to June 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$600,000, Department of Parking and Traffic, for capital improvement project (Chinatown Parking Project), for fiscal year 1990-91; placing \$600,000 on reserve. (Controller)

File 101-90-115, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

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Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Government Funding]

Ordinance appropriating \$7,175,562, Police Department, for permanent salaries-miscellaneous, differential pay, overtime and holiday pay - uniform, extended work week and retroactive salaries; rescinding \$1,253,863 from temporary salaries, permanent salaries - uniform and retirement - City, \$195,396 from Senior Escort Service's permanent salaries and mandatory fringe benefits and \$107,402 from Office of Citizen Complaint's permanent salaries, overtime and mandatory fringe benefits, for fiscal year 1990-91; providing for ratification of action previously taken; subject to previous budgetary denial. (Controller)

File 101-90-119, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Government Funding]

Ordinance appropriating \$47,925,000, Water Department, for various capital improvement projects, for fiscal year 1990-91; placing \$14,000,000 on reserve. (Controller)

File 101-90-121, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Government Funding]

Ordinance appropriating \$7,648,988, Recreation and Park Department - 1987 Park Improvement Bond Fund, for various capital improvement projects, City Attorney, Chief Administrative Officer and Controller; placing \$5,248,650 on reserve. (Controller).

File 101-90-124, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

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[Government Funding]

Ordinance appropriating \$541,000, Cleanwater Program, for capital improvement project (Best Management Practices Program); placing \$130,000 on reserve. (Controller)

File 101-90-125, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Government Funding]

Ordinance appropriating \$24,402, Department of Public Works, for capital improvement project (5th and Harrison Streets Cistern) and certifying \$24,402 from capital improvement project (5th and Harrison Streets Cistern) to cover overage above ten percent (10%) of contracted amount pursuant to provisions of Charter Section 7.203; providing for ratification of action previously taken. (Controller)

File 101-90-126, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Government Funding]

Ordinance appropriating \$26,500,000, Department of Public Works - 1990 Earthquake Safety Bond Program Phase 2, for various capital improvement projects and program project budget, Chief Administrative Officer, City Attorney and Controller; placing \$16,427,980 on reserve. (Controller)

File 101-90-127, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Government Funding]

Ordinance appropriating \$6,500,000, Department of Public Works - 1989 Earthquake Safety Bond Program Fund, for various capital

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improvement projects, City Attorney, Controller, Fire Department and Chief Administrative Officer; placing \$4,098,535 on reserve.
(Controller)

File 101-90-128, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Consideration Continued

[Government Funding]

Ordinance appropriating \$9,406, District Attorney, for training and membership dues and rescinding \$9,406 from office machine rental, subject of previous budgetary denial and providing for ratification of action previously taken. (Controller)

File 101-90-130, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to continue consideration to June 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Passed for Second Reading

[Interim Annual Appropriation Ordinance Fiscal Year 1991-92]
Interim Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for fiscal year 1991-92. (Controller)

File 101-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Interim Annual Salary Ordinance Fiscal Year 1991-92]
An ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1992, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and

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appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations. (Civil Service Commission)

File 102-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Vehicle Theft Crimes Funds]

Ordinance amending Administrative Code, to establish the Vehicle Theft Crimes Fund. (Police Department)

File 97-91-37, Ordinance No.

(Adds Section 10.117-109.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Adopted

[Election to receive Vehicle Registration Fee]

Resolution electing to receive \$1.00 fees for locally registered vehicles pursuant to California Vehicle Code Section 9250.14 to be used for vehicle theft coverage; companion measure to File 97-91-37. (Supervisor Gonzalez)

File 97-91-37.1, Resolution No. 530-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Solid Waste Management]

Resolution authorizing the Chief Administrative Officer to accept and expend \$2,451,726 in funds from the Sanitary Fill Company to be used for the Solid Waste Management Program projects, and placing \$989,492 on reserve. (Chief Administrative Officer)

File 57-91-2, Resolution No. 543-91

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Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Criminal Justice - State Grant]

Resolution authorizing the Mayor's Criminal Justice Council of the City and County to apply for, accept and expend funds totalling \$801,907 from the California Youth Authority for the 1991/92 "County Justice System Subvention Program" (CJSSP); providing allocations; designating program coordinator; placing \$67,165 on reserve. (Mayor's Public Safety Office)

File 68-91-3, Resolution No. 527-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Grant - Regional Funds]

Resolution authorizing the Public Utilities Commission to apply for and accept up to \$3.2 million of Bridge Toll funds for SFMRIC lease payments and \$59.5 million of regional funds such as Urban Mass Transportation Administration Sections 8 and 9, Transportation Development Act (TDA) Articles 4, 8 and 4.5, State Transit Assistance Revenue-Based funds, AB 1107 half-cent sales tax, and approximately \$1.6 million of Bay Area Rapid Transit District funds for 1991-92 Municipal Railway operations and capital improvements, and expend up to \$364,000 of TDA Article 4, 8 Planning Grant, UMTA Section 8 Planning Grant and STA Rev. Coord. Project Funds. (Public Utilities Commission)

File 94-91-3, Resolution No. 528-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Grant - Federal Funds]

Resolution authorizing the Public Utilities Commission to apply for, accept and expend \$13,815,120 of UMTA Section 9 Formula Assistance and \$3,453,780 from State Transit Capital Improvement funds or State Urban Rail Bond funds or State Clean Air and Transportation Improvement Act Bond funds or regional local match funds such as

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State Transit Assistance funds, State Transportation Development Act, Bridge Toll Net Revenues, Gas Tax Revenues, Hetch Hetchy funds, Transit Impact Development Fee Revenues, San Francisco Municipal Railway Improvement Corporation funds, and/or the San Francisco County Sales Tax Revenues for eight Municipal Railway projects; placing \$13,982,500 on reserve. (Public Utilities Commission)

File 94-91-4, Resolution No. 529-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Anti-Drug Abuse Funds]

Resolution authorizing the Chief Adult Probation Officer to apply for, accept and expend funds in the amount of \$170,795 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project"; providing for ratification of action previously taken. (Mayor)

File 130-91-3, Resolution No. 531-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Grant - Foundation Funds]

Resolution authorizing the Art Commission to apply for, retroactively, accept and expend renewal of Annual \$60,000 Burlington Resources Foundation Grant for support of high artistic standards and low-cost ticket prices at the 1991 POPS Series, and to ensure added revenues to benefit Art Commission's Community Arts Programs. (Art Commission)

File 132-91-6, Resolution No. 555-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

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[Anti-Drug Abuse Funds]

Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of \$300,206 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project", for the twelve month period July 1, 1991 through June 30, 1992; providing for ratification of action previously taken. (Mayor)

File 138-91-4, Resolution No. 532-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Anti-Drug Abuse Funds]

Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of \$125,431 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Police Department's Drug Abatement Project"; providing for ratification of action previously taken. (Mayor)

File 143-91-1, Resolution No. 533-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Grant - State]

Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Services, WIC Program, to apply for a grant of \$1,334,558 which includes indirect costs in the amount of \$93,754, based on 10% of personnel costs, from the State Department of Health Services, for nutrition services for women and infant residents of San Francisco, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-52, Resolution No. 557-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

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[Grant - State Funds]

Resolution authorizing the Public Library to apply for, accept and expend funds not to exceed \$3,100,000 available through the California State Library from the California Library Construction and Renovation Bond Act of 1988. (Public Library Commission)

File 147-91-5, Resolution No. 558-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3

[Grant - Federal Funds]

Resolution authorizing the Director of Public Works to apply for \$58.5 million of Federal Highway Administration Emergency Relief Funds for the planning, design and construction of a subsurface alternative to the Embarcadero Freeway, and to accept and expend \$4,593,600 million of said funds for planning environmental work for the project; placing \$1,674,600 on reserve. (Department of Public Works)

File 148-91-8, Resolution No. 575-91

Supervisor Hsieh moved to delete the authority to "expend".

Motion lost for want of a second.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Grant - State Funds]

Resolution authorizing the Director of Public Works to apply for up to \$11.0 million of State Highway Funds for the planning, design and construction of a subsurface alternative to the Embarcadero Freeway, and to accept and expend \$756,400 of said funds for planning and environmental work for the project; placing \$275,400 on reserve. (Department of Public Works)

File 148-91-9, Resolution No. 559-91

Supervisor Hsieh moved to delete the authority to "expend".

Motion lost for want of a second.

Monday, June 17, 1991

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Mayor's Earthquake Emergency Relief Fund]

Resolution approving expenditure of \$481,000 from the Mayor's Earthquake Emergency Relief Fund by the Department of Public Works for planning and conceptual engineering on the Embarcadero Freeway Replacement Project, such funds to be reimbursed subsequently; companion measure to Files 148-91-8 and 148-91-9. (Department of Public Works)

File 270-91-4, Resolution No. 568-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Grant - State Funds]

Resolution authorizing the Sheriff's Adult Probation and Juvenile Probation Departments of the City and County to apply for, accept and expend \$354,000 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulating adherence to standards for recruitment and training established by the Board of Corrections; providing for ratification of action previously taken. (Sheriff)

File 152-91-2, Resolution No. 560-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Anti-Drug Abuse Funds]

Resolution authorizing the Sheriff to apply for, accept and expend funds in the amount of \$76,469 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Sheriff's Drug Abatement Project"; providing for ratification of action previously taken. (Mayor)

File 152-91-3, Resolution No. 534-91

Monday, June 17, 1991

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Consideration Continued

[Federal Funds]

Resolution approving an expenditure plan for \$310,605 of Refugee Employment Social Services Funds; retroactive to January 1, 1991. (Private Industry Council)

File 156-91-2, Resolution No.

Supervisor Hsieh, seconded by Supervisor Maher, moved to continue consideration to June 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Request Granted

Supervisor Maher requested that the City Attorney advise what the rules are regarding conflict of interest as it applies to committee recommendation when committee members are also recipients of grants.

No objection and request granted.

Adopted

[Redevelopment Agency Budget]

Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1991-92. (Supervisor Gonzalez)

File 161-91-3, Resolution No.561-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Migden - 4.

Monday, June 17, 1991

[Property Tax Administration Fee - School District]
Resolution setting fee to be paid by San Francisco Unified School District for property tax administration and directing Controller to bill San Francisco Unified School District. (Supervisor Gonzalez)

File 182-91-2, Resolution No. 536-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Migden - 4.

[Mayor's Earthquake Emergency Relief Fund]
Resolution approving expenditure from the Mayor's Earthquake Emergency Relief Fund of \$715,000 for completion of rehabilitation of two multi-service shelters to accommodate persons displaced by October 17, 1989 earthquake; and for relocation and safety projects related to rehabilitation. (Mayor)

File 270-91-3, Resolution No. 535-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kennedy, Maher, Shelley, Ward - 6.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Migden - 4.

[Acceptance of Deeds to Real Property]
Resolution authorizing the acceptance of deeds to two parcels of land required for the King Boulevard segment of the Embarcadero Surface Roadway Project. (Real Estate Department)

File 272-91-4, Resolution No. 569-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Migden - 4.

Recommendations of Administration and Oversight Committee

Adopted

Monday, June 17, 1991

[Appointments]

Resolution appointing members to the Maternal Child and Adolescent Health Board, terms expired, for three-year terms ending August 31, 1992. (Administration and Oversight Committee)

File 92-89-32.4, Resolution No. 549-91

(Saralie Pennington, Social Worker, vice R. Hunter Morey;
Barbara Kalmanson, Psychologist, vice Elizabeth Strong.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher,
Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Migden - 4.

[Appointments]

Resolution confirming Mayor's appointments to the Industrial Development Bond Authority. (Mayor)

File 33-91-6, Resolution No. 540-91

(William Cumbelich, vice Mark Buell, term expired, for the
three-year term ending March 1, 1993;
Norman Lew, vice himself, term expired, for the three-year
term ending March 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Maher,
Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Migden - 4.

[Appointments]

Resolution appointing members to the Association of Bay Area Governments Executive Board, terms expiring June 30, 1991, for two-year terms ending June 30, 1993. (Administration and Oversight Committee)

File 92-91-17.1, Resolution No. 550-91

(Supervisor Willie B. Kennedy, vice herself;
Supervisor Carole Migden, vice herself;
Supervisor Doris M. Ward, vice herself.)

The Clerk indicated these are compensated positions, therefore a motion to excused those supervisors who are present would be in order.

Monday, June 17, 1991

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

Supervisors Kennedy and Ward Excused from Voting

Supervisor Maher, seconded by Supervisor Gonzalez, moved to excuse Supervisors Kennedy and Ward from voting.

Motion to excuse Supervisors Kennedy and Ward from voting adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Shelley - 6.

Excused: Supervisors Kennedy, Ward - 2.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

The President reassumed the Chair.

[Appointments]

Resolution appointing members to the National Guard Advisory Committee, terms expiring June 30, 1991, for four-year terms ending June 30, 1995. (Administration and Oversight Committee)

File 92-91-19.1, Resolution No. 551-91

(Thomas P. Galvin, public at large, vice himself;
Frank Quesada, public at large, vice himself;
McGruder Wilkinson, public at large, vice himself;
Leon R. Tonini, public at large, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Monday, June 17, 1991

[Appointment]

Resolution appointing member to the Delinquency Prevention Commission, term expiring June 30, 1991, for the four-year term ending June 30, 1995. (Administration and Oversight Committee)

File 92-91-22, Resolution No. 552-91

(Elizabeth Youhn, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Adopted as Amended

[Long-term Plan, Reducing Jail Population]

Resolution describing Federal Court orders in Stone v. City and County of San Francisco regarding jail overcrowding and approving long term jail overcrowding plan. (City Attorney)

File 195-91-2, Resolution No. 565-91

Supervisor Hallinan moved to amend by adding "Northern California Service League" and "Delancey Street Foundation" as two community groups to be heard on jail overcrowding policies.

Motion lost for want of a second.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to amend page two, line 21 by adding the following: "Further resolved, That City departments are urged to consult with African-American members of their staff and include these staff members in the interdepartmental deliberations and to seek and consider the views of community representatives in future deliberations leading to the formulation of jail overcrowding plans".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

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Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Taxi Rate Increase]

Ordinance amending Police Code, to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance No. 383-90. (Supervisors Migden, Alioto, Kennedy)

File 15-91-6, Ordinance No.

(Amends Section 1135.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Landmark]

Ordinance designating the Path of Gold Light Standards (1 Market Street through 2490 Market Street, 327 lights) as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-91-2, Ordinance No.

(Approved by City Planning Commission Resolution No. 13049.)
(Categorically exempt from Environmental Impact Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[City Planing Code Amendment]

Ordinance amending City Planing Code, to permit enlargement of lawful non-complying structures located on a landmark site or an architecturally significant building site and contributory buildings within historic or conservation districts, and allow the alteration of exterior facades, rooftop features or life safety/mechanical/environmental control systems for non-complying buildings in the C-3 Districts; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 115-91-7, Ordinance No.

(Amends Section 188 of Article 1.7.)

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(Approved by City Planning Commission Resolution No. 13019.)
(General Rule Exemption from Environmental Impact Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 515-519 Ellis Street, southwest corner with Cohen Place, Lot 28A, Assessor's Block 334, from an RC-4 (Residential Commercial Combined, High Density) District and the North of Market Residential Special Use District to an RC-4 (Residential Commercial Combined, High Density) and North of Market Residential Special Use District and the Cohen Place and Ellis Street Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-91-2, Ordinance No.

(Approved by City Planning Commission Resolution No. 13059.)
(General Rule Exclusion from Environmental Impact Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

[Special Use District]

Ordinance amending City Planning Code, to create an Affordable Housing Special Use District at Cohen Place and Ellis Street, and finding consistency with Planning Code Section 101.1; companion measure to File 36-91-2. (Supervisor Ward)

File 81-91-1, Ordinance No.

(Adds Section 249.11.)

(Approved by City Planning Commission Resolution No. 13060.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

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Passed for Second Reading as Amended

[Electrical Code]

Ordinance repealing Part II, Chapter III of the Municipal Code, (Electrical Code); adopting in its entirety a new San Francisco Electrical Code. (Department of Public Works)

File 116-91-1.1., Ordinance No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to amend page 00026, Section 90-53, by changing "72" to "24" hours before any inspection is desired.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Adopted

[Electrical Code]

Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the State Electrical Code for buildings, as required by California Health and Safety Code; companion measure to File 116-91-1.1. (Department of Public Works)

File 116-91-1, Resolution No. 554-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Passed for Second Reading

[Parking Meters]

Ordinance amending Traffic Code, to remove the parking facility at 50 Bartlett Street from those off-street parking sites on which parking meters may be used. (Department Parking and Traffic)

File 124-91-3, Ordinance No.

(Amends Section 32.8.7.)

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Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Adopted

[GAIN Program]

Resolution approving and authorizing submission of 1991-92 Annual Update of the San Francisco Plan for the Greater Avenues for Independence (GAIN) Program to the State Department of Social Services. (Department of Social Services)

File 107-91-3, Resolution No. 553-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

[Central Freeway]

Resolution urging the City Attorney to seek injunctive relief to prohibit Caltrans from retrofitting the Central Freeway; urging the City Attorney to investigate potential State and Federal Clean Air Act violations. (Supervisors Maher, Gonzalez, Alioto, Kennedy)

File 171-91-5, Resolution No. 562-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Kennedy, Maher, Shelley - 6.

Noes: Supervisors Hallinan, Hsieh, Ward - 3.

Absent: Supervisors Achtenberg, Migden - 2.

[Central Freeway]

Resolution urging the Federal Highway Administration to withhold funding the Central Freeway retrofit project until a full environmental assessment is completed; urging the California Transportation Commission to hold a hearing in San Francisco. (Supervisors Maher, Gonzalez, Alioto, Kennedy)

File 171-91-6, Resolution No. 563-91

Adopted by the following vote:

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Ayes: Supervisors Alioto, Britt, Gonzalez, Kennedy, Maher, Shelley - 6.

Noes: Supervisors Hallinan, Hsieh, Ward - 3.

Absent: Supervisors Achtenberg, Migden - 2.

[Sister City]

Resolution urging the Mayor to establish a Friendship/Solidarity City between San Francisco, California and Las Vueltas, El Salvador. (Supervisors Gonzalez, Ward, Shelley, Britt, Kennedy, Hallinan)

File 214-91-1, Resolution No. 567-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Britt, Hsieh, Maher, Migden - 5.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public hearing]

Hearing of all persons interested in or objecting to the establishment of a pedestrian mall on Anthony Street, north of Jessie Street.

File 181-91-1.2

The privilege of the floor was granted to the following persons:

Greg Cruz;
Robert McCarthy.

From Economic and Social Policy Committee without Recommendation

Adopted

[Pedestrian Mall]

Resolution confirming intention to order the establishment of a pedestrian mall on Anthony Street, north of Jessie Street.

File 181-91-1.1, Resolution No. 564-91

Adopted by the following vote:

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Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

Passed for Second Reading

[Pedestrian Mall]

Ordinance closing Anthony Street, north of Jessie Street, to vehicular traffic and accepting quitclaim deeds from abutting owners for vehicular access to their property, and establishing a pedestrian mall on Anthony Street, north of Jessie Street, including findings pursuant to City Planning Code Section 101.1.

File 181-91-1.2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Migden - 3.

COMMITTEE REPORTS

From Administration and Oversight Committee

Passed for Second Reading

[Pay Equity Legally-Mandated Adjustments]

Ordinance providing for pay equity adjustments to the schedules of compensation for persons employed by the City and County, the San Francisco Unified School District and the San Francisco Community College District effective July 1, 1991, as provided for in Charter Section 8.407-1 and contractually mandated by memoranda of understanding. (Supervisors Achtenberg, Alioto)

File 106-91-4, Ordinance No.

Supervisor Hallinan presented as recommendation of Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Maher, Migden - 5.

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Recommendation of Economic and Social Policy Committee

Adopted as Amended

Resolution urging the U.S. Army to provide the City and County of San Francisco with information on the costs and impacts of the closure of the Presidio.

File 205-91-1, Resolution No. 566-91

Supervisor Alioto presented as recommendation of Economic and Social Policy Committee.

Supervisor Alioto, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Maher, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Achtenberg, Britt, Maher, Migden - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Federal Child Care Money]

Resolution urging the Governor of California to name a lead state agency as expeditiously as possible so that California and San

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Francisco can use all child care federal funding which will be available through the Omnibus Reconciliation Act of 1990. (Supervisor Achtenberg)

File 12-91-27, Resolution No. 537-91

(June 10, 1991 - Introduced in Board for consideration on June 17, 1991.)

Adopted.

[Federal Child Care Money]

Resolution declaring that the Board of Supervisors intends to participate co-jointly with the San Francisco Unified School District in the local planning efforts regarding the Omnibus Reconciliation Act of 1990. (Supervisor Achtenberg)

File 12-91-28, Resolution No. 538-91

(June 10, 1991 - Introduced in Board for consideration on June 17, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Alioto, Britt, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-24, Resolution No. 526-91

(Doris M. Ward, President, Board of Supervisors, June 19 - 30; Tom Hsieh, member, Board of Supervisors, June 27-28; Buck Bagot, President, Redevelopment Agency, June 6 - 10; Raymond J. Baxter,

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Ph.D., Director of Health June 12 - 16; Connie O'Connor, President, Recreation and Park Commission, August 29 - September 18; Thomas J. Elzey, General Manager, Public Utilities Commission, June 6 - 13; Robert H. Feldman, Executive Director, Board of Permit Appeals, June 22 - 24; Pierre Ludington, member, Health Commission, July 2 - 16 and August 20; Leni Martin, member, Commission on the Status of Women, June 6 - 12; Molly Martin, member, Commission on the Status of Women, June 10 - 20, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Commendation]

Resolution commending David L. Fong.

File 6-91-9, Resolution No. 520-91

Supervisor Gonzalez presented on behalf of the entire Board.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of Hunters Point Expressway and Giants Drive, on Saturday, June 22, 1991, from 10:30 a.m. to 11:30 a.m., (Giants' 13th Annual Run to Home Plate foot race); and providing for insurance.

File 42-91-31, Resolution No. 523-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of Golden Gate Avenue, between Central Avenue and Baker Street, and Lyon Street, between Turk and McAllister Streets, on Thursday, July 4, 1991, from 8:00 a.m. to 6:00 p.m. for community picnic.

File 42-91-32, Resolution No. 524-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of Battery, Sansome, Greenwich and Green Streets, on July 14, 1991, from 9:30 a.m. to 2:00 p.m. for cycle races and providing for insurance.

File 42-91-33, Resolution No. 525-91

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Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Alioto, Britt, Maher, Migden - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Electrical Code]

Resolution urging the State Legislature and the State Building Standards Commission to amend Section 17958 of the California Health and Safety Code to allow local jurisdictions more time to adopt local amendments to state building standards. (Supervisor Kennedy presented.) Referred to Board June 24, 1991 Immediate Adoption Without Committee Reference Calendar.

File 12-91-30

Referred to Committee

[Redistricting, State]

Resolution urging the State Legislature to create State Senate and State Assembly Districts which do not divide or dilute the voting power of any concentration of any major ethnic group and to continue to hold regional public hearings on redistricting plans that that the public can review and comment on any plan introduced in the Legislature. (Supervisor Maher presented.) Referred to Administration and Oversight Committee.

File 12-91-31

[Bicycle Access on Golden Gate Bridge]

Resolution recommending to the Golden Gate Bridge Highway and Transportation District that the bridge be open to bicycle riding 24 hours a day, 365 days a year. (Supervisor Ward presented.) Referred to Economic and Social Policy Committee.

File 55-91-1

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Date of Public Hearing Fixed

[Summary Street Vacation]

Resolution ordering vacation of Gale Street, between King and Townsend Streets.

File 164-91-2, Resolution No.

Supervisor Shelley presented on behalf of Supervisor Migden.

Supervisor Shelley, seconded by Supervisor Britt, moved that the Board of Supervisors conduct a public hearing on June 24, 1991 at 3:00 p.m. to consider the above subject legislation.

Motion to hold a public hearing adopted by the following vote:

Ayes: Supervisors Britt, Hallinan, Hsieh, Kennedy, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Alioto, Gonzalez, Maher, Migden - 5.

Referred to Board

[Cultural Affairs Task Force]

Resolution amending Resolution No. 229-91, establishing a Cultural Affairs Task Force, by expanding its membership to include the City Attorney. (Supervisor Hallinan presented.) Referred to Board June 24, 1991 Immediate Adoption Without Committee Reference Calendar.

File 174-91-3.2

Referred to Committee

[Ballot Measure]

Charter amendment (Skeletal) amending the Charter by adding Section 8.400 General Rules for Establishing and Paying Compensation relating to payment for service. (Supervisor Ward presented on behalf of the City Attorney.) Referred to Administration and Oversight Committee.

File 233-91-1

Requests for Hearings

File 101-89-149.3, By Supervisor Gonzalez: To consider release of reserved funds, Fire Department, in the amount of \$837,500 for the construction phase of the Emergency Coordination Center Modules Project. Referred to Finance Committee with request it be considered at the June 18, 1991 special meeting.

File 92-91-12.3, By Supervisor Hallinan: To consider appointment of member to the Cultural Affairs Task Force, representing individual artist category, vice Genny Lim, resigned, for unexpired portion of term. Referred to Administration and Oversight Committee.

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File 92-91-12.4, By Supervisor Hallinan: To consider appointment of member, representing labor for art (new position), to the Cultural Affairs Task Force. Referred to Administration and Oversight Committee.

File 97-91-41, By Supervisors Britt and Hallinan: To consider allegations of abuse of permit process in connection with closing of Castro Street for Pink Saturday and to consider changes in process to protect against future abuse. Referred to Economic and Social Policy Committee.

File 207-91-2.1, By Supervisor Hsieh: To consider the adequacy of the public review process undertaken by the Police Commission with respect to the proposed redistricting plan for the nine neighborhood district police stations. Referred to City Services Committee with request it be considered as soon as possible.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney advise whether citizens may engage in voter registration activities at street fairs held on public City streets.

By Supervisor Kennedy, that City Attorney prepare ordinance amending Administrative Code Chapter 12D to increase the dollar threshold for economically disadvantaged status for purchasing and professional service contracts to be consistent with the California Small Business Administration Guidelines or other relevant standard.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, requesting response to the following questions: why the lease at the Golden Gateway Garage Auto Detailing Service (Rapid Shine) cannot be separate from the Golden Gateway Garage lease; why the separate lease that was drawn up could not be used as a protection for Rapid Shine; can the lease be amended or separated before it goes to bid and does the lease offer protection for Rapid Shine, i.e., that they will be allowed to remain in the garage lease and cannot be displaced?

By Supervisor Alioto, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine the feasibility of installing a Stop sign on Lyon and Turk Streets and on Central and Turk Streets.

By Supervisor Alioto, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine why Rossi Swimming Pool has not been opened at its posted hour of 10:30 a.m. on several Sunday mornings and why prompt responses have not been offered when inquiries were made concerning the late openings.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Monday, June 17, 1991

Joseph E. LaBauve (Supervisor Ward)
Hazel McFadden (Supervisor Kennedy)
Peter Barrett (Supervisor Hallinan)

File 2-91-24

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of
5:22 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by
the Board of Supervisors on the matters stated, but not
necessarily the chronological sequence in which the matters
were taken up.

Monday, June 17, 1991

Approved by the Board of Supervisors on March 16, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

ORIGINAL

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No. 25

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Monday, June 24, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 24, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris M. Ward, the meeting was called to order at 2:04 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Britt, Maher, Ward - 3.

Quorum present.

Supervisor Britt was noted present at 2:20 p.m.

Supervisor Maher was noted present at 2:07 p.m.

Supervisor Ward excused, on official leave of absence.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Kennedy, seconded by Supervisor Hsieh, moved that Supervisor Hallinan be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Maher, Ward - 3.

Supervisor Hallinan thereupon assumed the Chair.

Monday, June 24, 1991

Supervisor Gonzalez Excused

At the request of Supervisor Gonzalez, Supervisor Hsieh, seconded by Supervisor Kennedy, moved to excuse Supervisor Gonzalez, due to personal business, from attending the July 1, 1991 meeting.

No objection and motion carried.

Consent Calendar

Severed from Consent Calendar

Supervisor Kennedy requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$1,966,979, Police Department, for various purposes. (Controller)

File 101-90-117, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$151,000, Airports Commission, for overtime, for fiscal year 1990-91. (Controller)

File 101-90-111, Ordinance No. 249-91

Finally passed.

Monday, June 24, 1991

[Government Funding]

Ordinance appropriating \$600,000, Department of Parking and Traffic, for capital improvement project (Chinatown Parking Project), for fiscal year 1990-91; placing \$600,000 on reserve. (Controller)

File 101-90-115, Ordinance No. 250-91

Finally passed.

[Government Funding]

Ordinance appropriating \$2,215,000, Cleanwater Program, for capital improvement project (Islais Creek Transport Design), for fiscal year 1990-91. (Controller)

File 101-90-118, Ordinance No. 251-91

Finally passed.

[Government Funding]

Ordinance appropriating \$47,925,000, Water Department, for various capital improvement projects, for fiscal year 1990-91; placing \$14,000,000 on reserve. (Controller)

File 101-90-121, Ordinance No. 253-91

Finally passed.

[Government Funding]

Ordinance appropriating \$52,638, Department of Public Health, for permanent salaries and related mandatory fringe benefits, for fiscal year 1990-91. (Controller)

File 101-90-122, Ordinance No. 254-91

Finally passed.

[Government Funding]

Ordinance reducing \$1,516,882, Department of Public Health - San Francisco General Hospital, from Stores Fund (materials and supplies), for fiscal year 1990-91. (Controller)

File 101-90-123, Ordinance No. 255-91

Finally passed.

[Government Funding]

Ordinance appropriating \$7,648,988, Recreation and Park Department - 1987 Park Improvement Bond Fund, for various capital improvement

Monday, June 24, 1991

projects, City Attorney, Chief Administrative Officer and Controller; placing \$5,248,650 on reserve. (Controller)

File 101-90-124, Ordinance No. 256-91

Finally passed.

[Government Funding]

Ordinance appropriating \$541,000, Cleanwater Program, for capital improvement project (Best Management Practices Program); placing \$130,000 on reserve. (Controller)

File 101-90-125, Ordinance No. 257-91

Finally passed.

[Government Funding]

Ordinance appropriating \$26,500,000, Department of Public Works - 1990 Earthquake Safety Bond Program Phase 2, for various capital improvement projects and program project budget, Chief Administrative Officer, City Attorney and Controller; placing \$16,427,980 on reserve. (Controller)

File 101-90-127, Ordinance No. 259-91

Finally passed.

[Government Funding]

Ordinance appropriating \$6,500,000, Department of Public Works - 1989 Earthquake Safety Bond Program Fund, for various capital improvement projects, City Attorney, Controller, Fire Department and Chief Administrative Officer; placing \$4,098,535 on reserve. (Controller)

File 101-90-128, Ordinance No. 260-91

Finally passed.

[Vehicle Theft Crimes Fund]

Ordinance amending Administrative Code, to establish the Vehicle Theft Crimes Fund. (Police Department)

File 97-91-37, Ordinance No. 267-91

(Adds Section 10.117-109.)

Finally passed.

Monday, June 24, 1991

Passed for Second Reading

[Government Funding]
Ordinance appropriating \$9,472, Police Department, for equipment purchase (laboratory equipment). (Controller)

File 101-90-108, Ordinance No.

Passed for second reading.

[Government Funding]
Ordinance appropriating \$202,284, Police Department, for equipment purchase and services of miscellaneous departments-Medical Examiner. (Controller)

File 101-90-116, Ordinance No.

Passed for second reading.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Pauline Lomba against the City and County by payment of \$6,500. (City Attorney)

File 45-91-30, Ordinance No. 263-91

(Superior Court No. 908-545)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of litigation of Laura Toland against the City and County by payment of \$6,500. (City Attorney)

File 45-91-33, Ordinance No. 264-91

(Superior Court No. 925-976)

Finally passed.

[Settlement of Lawsuit]
Ordinance authorizing settlement of William A. Arietta V. David F. Johnson, U-Haul Rentals, et al., upon receipt of the sum of \$7,500 and dismissal of complaint. (City Attorney)

Monday, June 24, 1991

File 46-91-7, Ordinance No. 265-91

(Superior Court No. 911-032)

Finally passed.

Recommendations of Economic and Social Policy Committee

Finally Passed

[Taxi Rate Increase]

Ordinance amending Police Code, to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance No. 383-90. (Supervisors Migden, Alioto, Kennedy)

File 15-91-6, Ordinance No. 245-91

(Amends Section 1135.)

Finally passed.

[Landmark]

Ordinance designating the Path of Gold Light Standards (1 Market Street through 2490 Market Street, 327 lights) as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

File 90-91-2, Ordinance No. 266-91

(Approved by City Planning Commission Resolution No. 13049.)
(Categorically exempt from Environmental Impact Review.)

Finally passed.

[City Planning Code Amendment]

Ordinance amending City Planning Code, to permit enlargement of lawful non-complying structures located on a landmark site or an architecturally significant building site and contributory buildings within historic or conservation districts, and allow the alteration of exterior facades, rooftop features or life safety/mechanical/environmental control systems for non-complying buildings in the C-3 Districts; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 115-91-7, Ordinance No. 268-91

(Amends Section 188 of Article 1.7.)

(Approved by City Planning Commission Resolution No. 13019.)
(General Rule Exemption from Environmental Impact Review.)

Monday, June 24, 1991

Finally passed.

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 515-519 Ellis Street, southwest corner with Cohen Place, Lot 28A, Assessor's Block 334, from an RC-4 (Residential Commercial Combined, High Density) District and the North of Market Residential Special Use District to an RC-4 (Residential Commercial Combined, High Density) and North of Market Residential Special Use District and the Cohen Place and Ellis Street Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

File 36-91-2, Ordinance No. 246-91

(Approved by City Planning Commission Resolution No. 13059.)
(General Rule Exclusion from Environmental Impact Review.)

Finally passed.

[Special Use District]

Ordinance amending City Planning Code, to create an Affordable Housing Special Use District at Cohen Place and Ellis Street, and finding consistency with Planning Code Section 101.1; companion measure to File 36-91-2. (Supervisor Ward)

File 81-91-1, Ordinance No. 247-91

(Adds Section 249.11.)

(Approved by City Planning Commission Resolution No. 13060.)

Finally passed.

[Parking Meters]

Ordinance amending Traffic Code, to remove the parking facility at 50 Bartlett Street from those off-street parking sites on which parking meters may be used. (Department of Parking and Traffic)

File 124-91-3, Ordinance No. 270-91

(Amends Section 32.8.7.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Monday, June 24, 1991

Absent: Supervisors Britt, Ward - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Board

Passed for Second Reading

[Minority, Women and Local Business Enterprises - Prime Contracts]
Ordinance amending the Administrative Code, relating to the procurement of goods and services and the award of public contract by the City and County from Minority Business Enterprises, Women Business Enterprises, and Local Business to include Asian Indians as Asian. (Supervisors Kennedy, Migden)

File 97-90-51.1, Ordinance No.

(Amends Section 12D.5)

(June 17, 1991 - Heard by the Board of Supervisors sitting as a Committee of the Whole.)

Appointment of President Pro Tempore

At the request of the Acting President, Supervisor Migden assumed the Chair so the Acting President could participate in the debate from the floor.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 9.

Noes: Supervisor Maher - 1.

Absent: Supervisor Ward - 1.

The President reassumed the Chair.

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]
Ordinance appropriating \$82,393, Retirement System, for non-work order services of other departments - City Attorney services, for fiscal year 1990-91. (Controller)

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File 101-90-110, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Government Funding]

Ordinance appropriating \$1,000,000, Department of Parking and Traffic, for capital improvement project (San Francisco General Hospital Parking Facility), for fiscal year 1990-91; placing \$1,000,000 on reserve. (Controller)

File 101-90-114, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Finally Passed

[Government Funding]

Ordinance appropriating \$7,175,562, Police Department, for permanent salaries-miscellaneous, differential pay, overtime and holiday pay - uniform, extended work week and retroactive salaries; rescinding \$1,253,863 from temporary salaries, permanent salaries - uniform and retirement - City, \$195,396 from Senior Escort Service's permanent salaries and mandatory fringe benefits and \$107,402 from Office of Citizen Complaint's permanent salaries, overtime and mandatory fringe benefits, for Fiscal Year 1990-91; providing for ratification of action previously taken; subject to previous budgetary denial. (Controller)

File 101-90-119, Ordinance No. 252-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Government Funding]

Ordinance appropriating \$24,402, Department of Public Works, for capital improvement project (5th and Harrison Streets Cistern) and certifying \$24,402 from capital improvement project (5th and Harrison Streets Cistern) to cover overage above ten percent (10%) of contracted amount pursuant to provisions of Charter Section 7.203; providing for ratification of action previously taken. (Controller)

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File 101-90-126, Ordinance No. 258-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$9,406, District Attorney, for training and membership dues and rescinding \$9,406 from office machine rental, subject of previous budgetary denial and providing for ratification of action previously taken. (Controller)

File 101-90-130, Ordinance No.

(This item is the subject of previously budgetary denial; requires 8 votes for passage, pursuant to Charter Section 6.306.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Britt, Migden, Ward - 3.

Finally Passed

[Interim Annual Appropriation Ordinance Fiscal Year 1991-92]

Interim Annual Appropriation Ordinance for Fiscal Year 1991-92. (Controller)

File 101-91-1, Ordinance No. 261-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

[Interim Annual Salary Ordinance Fiscal Year 1991-92]

An interim ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the Fiscal Year ending June 30, 1992, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing

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appointments to temporary positions and fixing compensations. (Civil Service Commission)

File 102-91-1, Ordinance No. 262-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Ward - 2.

Adopted

[Award of Lease]

Resolution accepting bid of City Park in response to call for bids for lease of Union Square Parking Garage and awarding said lease to said bidder as the highest and best responsible bidder. (Real Estate Department)

File 47-91-8, Resolution No. 580-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Gonzalez, Ward - 3.

[Federal Funds]

Resolution approving an expenditure plan for \$310,605 of Refugee Employment Social Services Funds; retroactive to January 1, 1991. (Private Industry Council)

File 156-91-2, Resolution No. 581-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

Recommendation of Administration and Oversight Committee

Finally Passed

[Pay Equity Legally-Mandated Adjustments]

Ordinance providing for pay equity adjustments to the schedules of compensation for persons employed by the City and County, the San Francisco Unified School District and the San Francisco Community College District effective July 1, 1991, as provided for in Charter

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Section 8.407-1 and contractually mandated by memoranda of understanding. (Supervisors Achtenberg, Alioto)

File 106-91-4, Ordinance No. 248-91

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Electrical Code]

Ordinance repealing Part II, Chapter III of the Municipal Code, (Electrical Code); adopting in its entirety a new San Francisco Electrical Code. (Department of Public Works)

File 116-91-1.1, Ordinance No. 269-91

Finally passed by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

From Economic and Social Policy Committee
Without Recommendation

Consideration Continued

(Supervisor Alioto excused from voting.)

[Condominium Conversions]

Ordinance amending the Subdivision Code, to create the tenant home ownership opportunity program of 1990, to exempt from the conversion limitations of Section 1396 for the period from the effective date of this ordinance through December 1992 the conversion of 1000 units in apartment complexes of 25 to 200 units where two-thirds of the tenants agree to the conversion, making findings with respect to the exemption, and amending the Administrative Code to provide that a landlord may not evict tenants from units converted to condominiums under Subdivision Code Section 1396B on the ground that the landlord or a relative desires to occupy the unit. (Supervisor Kennedy)

File 126-90-1, Ordinance No.

(Amends Administrative Code Section 37.9;
Amends Subdivision Code Section 1396;
Adds Subdivision Code Section 1396B.)

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(Categorically exempt from environmental review)

(October 15, 1990 - Supervisor Alioto was excused from voting by the Board.)

Appointment of President Pro Tempore

At the request of the Acting President, Supervisor Shelley assumed the Chair so the Acting President could participate in the debate from the floor.

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved to continue consideration to July 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Britt, Gonzalez, Hallinan, Kennedy, Shelley - 5.

Excused: Supervisor Alioto - 1.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

The Acting President reassumed the Chair.

From Economic and Social Policy Committee Without Recommendation

Passed for Second Reading as Amended

[Pedestrian Mall]

Ordinance closing Anthony Street North of Jessie Street to vehicular traffic, and accepting quitclaim deeds from abutting owners for vehicular access to their property, and establishing a pedestrian mall on Anthony Street north of Jessie Street, including findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 181-91-1.2, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Britt, moved to amend page two, line eight by inserting "the effective date of this Ordinance" in the blank space.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Ward - 2.

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Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Ward - 2.

NEW BUSINESS

Recommendations of City Services Committee

Passed for Second Reading

[Animal Control - Release Forms]

Ordinance amending Health Code, to require a copy of a signed release of ownership be offered to the owner of the animal. (Supervisor Kennedy)

File 118-90-7, Ordinance No.

(Amends Section 41.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

[Debris Boxes - Hours of Service]

Ordinance amending Public Works Code, to require certain hours of service for debris boxes located in residential areas. (Supervisor Kennedy)

File 123-90-1, Ordinance No.

(Amends Section 725.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

Passed for Second Reading as Amended

[Chlorofluorocarbon Recycling and Recovery]

Ordinance amending Health Code, prohibiting the sale of small chlorofluorocarbon containers, and prohibiting repair of motor

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vehicle air conditioning systems without a permit from the Department of Public Health; and collecting \$150.00 for processing permit applications and \$75.00 per hour for inspections and enforcement. (Supervisors Alioto, Hsieh, Gonzalez)

File 118-91-3, Ordinance No.

(Adds Article 24, Sections 1401 through 1413.)

Supervisor Alioto, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

From City Services Committee Without Recommendation

Amended; Consideration Continued

{Telephone Signaling Devices - Minors}
Ordinance amending the Police Code to prohibit the sale and possession of telephone signaling devices by minors. (Supervisor Gonzalez)

File 121-91-2, Ordinance No.

(Adds Section 558.)

Appointment of President Pro Tempore

At the request of the Acting President, Supervisor Achtenberg assumed the Chair so the Acting President could participate in the debate from the floor.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved an amendment of the whole bearing same title as above.

Supervisor Hallinan, seconded by Supervisor Alioto, moved substitute motion to table.

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Motion to table refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden - 5.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Shelley - 5.

Absent: Supervisor Ward - 1.

Thereupon, the roll was called on the pending amendment of the whole and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Noes: Supervisors Alioto, Britt, Migden - 3.

Absent: Supervisor Ward - 1.

Refused passage for second reading, as amended, by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Shelley - 5.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden - 5.

Absent: Supervisor Ward - 1.

Supervisor Gonzalez, seconded by Supervisor Britt, moved to rescind the previous vote.

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to continue consideration to July 15, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

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Recommendations of Economic & Social Policy Committee

Adopted

[Final Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that construction of a mixed use development consisting of a 49 unit condominium project of eight stories, and remodeling and enlarging the Chinatown YMCA to accommodate a new gym, pool, childcare facilities and approximately 2,000 square feet of residential space requiring reclassification of property from a C-3-G (Downtown Commercial, General) District to a CRNC (Chinatown Residential Neighborhood Commercial) District at 750 California Street, Lots 7 and 10 in Assessor's Block 242 and reclassification of property from a 50-N Height and Bulk District to a 65-A Height and Bulk District at 855 Sacramento Street, Lot 27 in Assessor's Block 242 will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Department of City Planning)

File 36-91-4, Resolution No. 579-91

(Approved by City Planning Commission Resolution No. 13062.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

Passed for Second Reading

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on California Street at Sabin Place from a C-3-G District to Chinatown Residential Neighborhood Commercial (CRNC) District and adopting changes in the Height and Bulk Classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on Sacramento Street between Stockton and Grant Streets from a 50-N to a 65-A District and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 36-91-4. (Department of City Planning)

File 36-91-4.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

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SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the proposed vacation of a portion of Gale Street between King Street and Townsend Street.

File 164-91-2

The privilege of the floor was granted to the following persons:

Gordon Wong, Danny Goal, Dehnert Queen.

From the Board

Adopted

[Summary Street Vacation]

Resolution ordering vacation of Gale Street between King Street and Townsend Street. (Supervisor Migden)

File 164-91-2, Resolution No. 570-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden - 7.

Absent: Supervisors Alioto, Britt, Shelley, Ward - 4.

SPECIAL ORDER - 4:00 P.M.

Hearing Held

[Public hearing]

Public hearing on the proposed Annual Budget of the City and County of San Francisco and proposed Annual appropriation Ordinance for fiscal year 1991-92.

File 100-91-1

The President inquired if there was anyone present who wished to speak.

The privilege of the floor was granted to the following persons:

Lee Meyerzove;

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Espanola Jackson,	Carmen Museualo,
Laurie Gwendolyn,	Lewis Louie,
Palo Louis,	Zack Hillary,
George Boxan,	Norma Robin,
Linda Wong,	Emile Anderson,
Marge Lawton,	Thelma Wilson,
Margaret Brodtkin,	Susan Rosenthal,
Larry Griffin,	Meg Solara,
Natasha Gorbatenko,	Conchita Ramiro,
Stephen Jerad,	Dan Ames,
Eve Myer,	Jonathan Burk,
Norman Yee,	Molly Fine,
Bret Omeral,	William Strange,
May Chen Fong,	Martha Hawthorne,
Fernando Hueruro,	Theresa Maria,
Kathleen Fox,	Philip Rossi,
Marilyn Castle,	Elizabeth Mercato,
Maria Teppe,	Tony Leone,
Don Acumen,	Pat Kerry,
Don Norton,	Martina Granda,
John O'Brien,	Bill Avior,
July Hatta,	Dave Newcomer,
Cynthia Buchett,	Doug Philips,
Van Richards,	Steve Neone,
Jack McKay,	Edward Wasa,
Naomi Shapiro,	Dehnert Queen,
Jane Hiddigan,	Jim Boger,
Louise Hester,	John Bardis.

SPECIAL ORDER 4:00 P.M.

Hearing Held

[Public Hearing

Hearing of all persons interested in or objecting to the proposed elimination or reduction of health care services to indigents provided at the medical facilities of the City and County of San Francisco for fiscal year 1991-92, beginning July 1, 1991.

File 30-91-10

The privilege of the floor was granted to the following persons:

Lee Meyerzove,	Espanola Jackson,
Carmen Museualo,	Laurie Gwendolyn,
Lewis Louie,	Palo Louis,
Zack Hillary,	George Boxan,
Norma Robin,	Linda Wong,
Emile Anderson,	Marge Lawton,
Thelma Wilson,	Margaret Brodtkin,
Susan Rosenthal,	Larry Griffin,
Meg Solara,	Natasha Gorbatenko,
Conchita Ramiro,	Stephen Jerad,
Dan Ames,	Eve Myer,
Jonathan Burk,	Norman Yee,

Monday, June 24, 1991

Molly Fine,	Bret Omeral,
William Strange,	May Chen Fong,
Martha Hawthorne,	Fernando Hueruro,
Theresa Maria,	Kathleen Fox,
Philip Rossi,	Marilyn Castle,
Elizabeth Mercato,	Maria Tepper,
Tony Leone,	Don Acumen,
Pat Kerry,	Don Norton,
Martina Granda,	John O'Brien,
Bill Avior,	July Hatta,
Dave Newcomer,	Cynthia Buchett,
Doug Philips,	Van Richards,
Steve Neone,	Jack McKay,
Edward Wasa,	Naomi Shapiro,
Dehnert Queen,	Jane Hiddigan,
Jim Boger,	Louise Hester,
John Bardis.	

From the Clerk

Adopted

[Reduction in Services - Medical Facilities]
Resolution determining which proposed reductions in health services will and will not have a detrimental impact on the health care needs of the indigents of the county. (Health Commission)

File 30-91-10, Resolution No. 574-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

COMMITTEE REPORTS

Recommendation of Finance Committee

Adopted

[SF Bay Area Poison Control]
Resolution urging Alameda, Contra Costa, Del Norte, Humboldt, Marin, Mendocino, Napa, San Mateo and Sonoma Counties to identify funding sources to assist in funding the San Francisco Bay Area Regional Poison Control Center and urging the Director of the Department of Public Health to utilize SB 12 EMS discretionary funding to ensure continued access to poison control services for San Franciscans. (Supervisors Shelley, Achtenberg, Gonzalez, Hsieh, Kennedy)

File 12-91-26, Resolution No. 577-91

Monday, June 24, 1991

Supervisor Shelley presented as recommendation of Finance Committee.

Supervisor Shelley, seconded by Supervisor Britt, moved that the need to take action arose subsequent to the publication of the calendar.

No objection and motion carried.

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Paul Lovinger,	Alan Manning,
P. Corrello,	Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

The following two items were acted on separately.

Tabled

[Cultural Affairs Task Force]
Resolution amending Resolution No. 229-91, establishing a Cultural Affairs Task Force, by expanding its membership to include the City Attorney. (Supervisor Hallinan)

File 174-91-3.2, Resolution No.

(June 17, 1991 - Introduced in Board for consideration
June 24, 1991.)

Monday, June 24, 1991

Supervisor Britt, seconded by Supervisor Gonzalez, at the request of Supervisor Hallinan, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

Adopted

[Electrical Code]

Resolution urging the State Legislature and the State Building Standards Commission to amend Section 17958 of the California Health and Safety Code to allow local jurisdictions more time to adopt local amendments to state building standards. (Supervisor Kennedy)

File 12-91-30, Resolution No. 578-91

(June 17, 1991 - Introduced in Board for consideration
June 24, 1991.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-25, Resolution No. 571-91

(Philip Armour, member, Commission on the Aging, June 5 - 9, June 25 - July 9 and August 3 - 10; Debra Chasnoff, member, Film and Video Arts Commission, June 8 - 13; Edward Chow, member, Health Commission, June 22 - 27; Kenneth Dowlin, City Librarian; October 24 - 26; Doug Engmann, member, City Planning Commission,

Monday, June 24, 1991

July 20 - 27; Joe Grubb, Executive Director, Rent Board, July 6 - 18; Mamie How, member, Rent Board, June 15 - 20; Wayne Hu, President, City Planning Commission, June 4 - 13; Robert Morales, member, Film and Video Arts Commission, June 16 - 30; Chris Mouroufas, member, Film and Video Arts Commission, June 26 - August 5; Sharon Owsley, member, Film and Video Arts Commission, June 11 - 22 and July 1 - 8; Edward Sewell, Vice President, City Planning Commission, June 22 - July 8; G.E. Weeth, Agricultural Commissioner, Sealer of Weights and Measures, July 15 - August 16, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of 26th and Treat Streets, Saturday July 13, 1991, from 10:00 a.m. to 6:00 p.m., for Drug Free Zone Celebration - Youth at Bernal Dwelling. (Supervisor Gonzalez)

File 42-91-35, Resolution No. 572-91

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[State Legislation]

Resolution urging passage of Assembly Bill 2237, which would repeal the booking fees and property tax administration charges enacted last year that counties may charge cities and would provide replacement revenues to counties by reducing the business expense deductions for meals and entertainment from 80 percent to 50 percent of costs.

File 12-91-32, Resolution No. 576-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Twenty-fifth Street, between Harrison and Treat Streets, on Sunday, June 30, 1991, from 1:00 to 4:00 p.m. for dedication of Balmy Street murals.

File 42-91-36, Resolution No. 573-91

Supervisor Gonzalez presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Monday, June 24, 1991

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Maher, Migden, Ward - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Proclamation]
Resolution declaring September 24, 1991 "A Better Way Day".
(Supervisors Shelley, Gonzalez, Migden presented.) Referred to Board
July 1, 1991 For Adoption Without Committee Reference Calendar.

File 4-91-17

Referred to Committee

[Labor Issues]
Resolution authorizing the President of the Board of Supervisors to
appoint a task force for reviewing labor disputes involving
California Meat Company, United Food and Commercial Workers Local
115, National Association of Broadcast Engineers and Technicians
Local 51, KQED, Pacific Lithograph Company and Graphics Communication
Union Local 583. (Supervisor Gonzalez presented.) Referred to
Economic and Social Policy Committee.

File 176-91-2

Requests for Hearings

File 13-91-15, By Supervisors Britt, Gonzalez, Hallinan: To consider
the closure and/or abandonment of the main post office at Seventh and
Mission Streets. Referred to Economic and Social Policy Committee.

File 234-91-1, By Supervisor Hsieh: To consider the need to develop
a comprehensive lead abatement plan and the appropriate funding
mechanism for such a plan. Referred to Economic and Social Policy
Committee.

Referred to Board

[Letterman Army Medical Center Closure]
Motion directing the Budget Analyst to prepare a report on the fiscal
and service impacts of the closure of Letterman Army Medical Center
on the City and County of San Francisco. File 165-91-5. (Supervisor
Alioto presented.) Referred to Board July 1, 1991 For Adoption
Without Committee Reference Calendar.

Monday, June 24, 1991

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that City Attorney prepare appropriate legislation which will establish a Citizen Police Review Board, consisting of members from the community, to investigate complaints.

By Supervisor Kennedy, that letter of inquiry be sent to the Recreation and Park Commission to determine the feasibility of designating a non-smoking area in the Candlestick Ball Park.

By Supervisor Alioto, that City Attorney prepare appropriate legislation establishing a San Francisco Youth Commission.

By Supervisor Gonzalez, that City Attorney prepare resolution which would urge the adoption of a six-point policy plan to ensure the survival of the ship repair industry for the July 8, 1991 Immediate Adoption Calendar.

By Supervisor Migden, that City Attorney review lease agreements signed by the Bayview Plaza and the City and County (Department of Public Works) to determine whether the City and County has the jurisdiction to require that Bayview Plaza pay prevailing wages to its contractors.

By Supervisor Migden, that letter of inquiry be sent to the Redevelopment Agency to determine whether the development agreement signed by the Redevelopment Agency and Bayview Plaza includes a provision that Bayview Plaza would be required to pay prevailing wages to all future contractors.

By Supervisor Migden, that letter of inquiry be sent to Director of Property, Real Estate Department, to ascertain whether there are prevailing wages provisions in the lease signed by the City and County (for the Department of Public Works) and Bayview Plaza and whether there was an independent agreement between the City and Bayview Plaza that Bayview Plaza would pay prevailing wages to all future contractors.

By Supervisors Britt, Gonzalez, Hallinan that letter be sent to the U. S. Postmaster requesting report on the status of the proposed closure of the post office at Seventh and Mission Streets.

By Supervisor Maher, that City Attorney prepare ordinance which would ban any motor vehicle operated solely for the purpose of providing traveling or stationary billboard advertisement (i.e. not carrying passengers or goods) from operating in the City and County.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Monday, June 24, 1991

Lute Proctor (Supervisor Britt)
Augustine McDonnell Hearst (Supervisor Britt)
James Green (Supervisor Kennedy)
John Carr (Supervisor Kennedy)
Darryl Hall (Supervisor Kennedy)
Sarah G. Babcock (Supervisor Hallinan)

File 2-91-25

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, June 24, 1991

Approved by the Board of Supervisors on March 16, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 86

No. 26

DOCUMENTS DEPT.

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Monday, July 1, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 1, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris M. Ward, the meeting was called to order at 2:02 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Britt, Gonzalez, Ward - 3.

Quorum present.

Supervisor Britt was noted present at 2:04 p.m.

Supervisor Gonzalez excused. (See Journal of Proceedings of June 24, 1991.)

Supervisor Ward excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Kennedy, seconded by Supervisor Maher, moved that Supervisor Hsieh be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Gonzalez, Migden, Ward - 3.

Supervisor Hsieh thereupon assumed the Chair.

Monday, July 1, 1991

Supervisor Ward Excused

The Clerk announced that Supervisor Ward has been delayed because of medical appointment concerning her leg cast and requested to be excused from attendance until her arrival.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to excuse Supervisor Ward from attendance until her arrival.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Shelley, moved that the Journal of Proceedings for Monday, October 15, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating \$9,472, Police Department, for equipment purchase (laboratory equipment). (Controller)

File 101-90-108, Ordinance No. 274-91

Finally passed.

[Government Funding]
Ordinance appropriating \$82,393, Retirement System, for non-work order services of other departments - City Attorney services, for fiscal year 1990-91. (Controller)

File 101-90-110, Ordinance No. 275-91

Monday, July 1, 1991

Finally passed.

[Government Funding]

Ordinance appropriating \$1,000,000, Department of Parking and Traffic, for capital improvement project (San Francisco General Hospital Parking Facility), for fiscal year 1990-91; placing \$1,000,000 on reserve. (Controller)

File 101-90-114, Ordinance No. 273-91

Finally passed.

[Government Funding]

Ordinance appropriating \$202,284, Police Department, for equipment purchase and services of miscellaneous departments-Medical Examiner. (Controller)

File 101-90-116, Ordinance No. 276-91

Finally passed.

Recommendations of City Services Committee

Finally Passed

[Animal Control - Release Forms]

Ordinance amending Health Code, to require a copy of a signed release of ownership be offered to the owner of the animal. (Supervisor Kennedy)

File 118-90-7, Ordinance No. 280-91

(Amends Section 41.6.)

Finally passed.

[Debris Boxes - Hours of Service]

Ordinance amending Public Works Code, to require certain hours of service for debris boxes located in residential areas. (Supervisor Kennedy)

File 123-90-1, Ordinance No. 281-91

(Amends Section 725.5.)

Finally passed.

Recommendations of Economic and Social Policy Committee

Monday, July 1, 1991

Finally Passed

[Zoning Map Change]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on California Street at Sabin Place from a C-3-G District to CRNC District and adopting changes in the Height and Bulk Classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on Sacramento Street between Stockton and Grant Streets from a 50-N to a 65-A District and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 36-91-4.1, Ordinance No. 271-91

Finally passed.

Adopted

[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "T" in the Forest Hill Area and adding to the list of streets upon which the limitations shall apply. (Department of Parking and Traffic)

File 40-91-6, Resolution No. 586-91

(Lopez Avenue, between Castenada Avenue and Pacheco Street, both sides.)

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jones, et al. against the City and County, et al., by payment of \$45,000. (City Attorney)

File 45-91-34, Ordinance No.

(United States District Court No. C88-0084 WHO.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Lorenzo B. Dominguez against the City and County by payment of \$17,500. (City Attorney)

File 45-91-35, Ordinance No.

Monday, July 1, 1991

(Superior Court No. 911-501.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of the City and County against Bernard Sanford by accepting consideration in total amount of \$8,574 in cash and discharging said Bernard Sanford from further liability. (Tax Collector)

File 46-91-8, Ordinance No.

(Municipal Court No. 050586.)

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Filemon and Teresita Cosmiano in the sum of \$6,500. (City Attorney)

File 48-91-7, Resolution No. 587-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classifications 4230 Estate Investigator and 9395 Assistant Rental Manager, Port of San Francisco in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-7, Resolution No. 588-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of classification 5102 Public Buildings Maintenance and Repair Assistant Superintendent in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-8, Resolution No. 589-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Monday, July 1, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

From the Board

Finally Passed

[Minority, Women and Local Business Enterprises - Prime Contracts]
Ordinance amending the Administrative Code, relating to the procurement of goods and services and the award of public contract by the City and County from Minority Business Enterprises, Women Business Enterprises, and Local Business to include Asian Indians as Asian. (Supervisors Kennedy, Migden)

File 97-90-51.1, Ordinance No. 283-91

(Amends Section 12D.5.)

(June 17, 1991 - Heard by the Board of Supervisors sitting as a Committee of the Whole.

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating \$1,966,979, Police Department, for various purposes. (Controller)

File 101-90-117, Ordinance No. 277-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

Monday, July 1, 1991

[Government Funding]

Ordinance appropriating \$9,406, District Attorney, for training and membership dues and rescinding \$9,406 from office machine rental, subject of previous budgetary denial and providing for ratification of action previously taken. (Controller)

File 101-90-130, Ordinance No. 278-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

[Fiscal Impact Legislation]

Ordinance amending Administrative Code, requiring any resolution or ordinance having a fiscal impact be so indicated, requiring legislation creating a fiscal impact to be referred to the Finance Committee for consideration, requiring the sponsor of such legislation to make every effort to identify the funding source for the proposed legislation, and requiring the Budget Analyst to provide the Board of Supervisors with an analysis of the total cost of programs provided by legislation. (Supervisors Ward, Kennedy, Gonzalez, Shelley)

File 97-91-24, Ordinance No. 272-91

(Adds Section 2.6-3.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

Recommendation of City Services Committee

Finally Passed

[Chlorofluorocarbon Recycling and Recovery]

Ordinance amending Health Code, prohibiting the sale of small chlorofluorocarbon containers, and prohibiting repair of motor vehicle air conditioning systems without a permit from the Department of Public Health; and collecting \$150.00 for processing permit applications and \$75.00 per hour for inspections and enforcement. (Supervisors Alioto, Hsieh, Gonzalez)

File 118-91-3, Ordinance No. 279-91

(Adds Article 24, Sections 1401 through 1413.)

Monday, July 1, 1991

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

From Economic and Social Policy Committee Without Recommendation

Finally Passed

[Pedestrian Mall]

Ordinance closing Anthony Street North of Jessie Street to vehicular traffic, and accepting quitclaim deeds from abutting owners for vehicular access to their property, and establishing a pedestrian mall on Anthony Street north of Jessie Street, including findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 181-91-1.2, Ordinance No. 282-91

Finally Passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Gonzalez, Maher, Ward - 3.

NEW BUSINESS

Recommendations of Administration and Oversight Committee

Passed for Second Reading

(Supervisor Maher dissenting in Committee.)

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Rosane Recinos against the City and County by payment of \$15,000. (City Attorney)

File 45-91-31, Ordinance No.

(Superior Court No. 899-237.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Hsieh, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Achtenberg, Maher - 2.

Absent: Supervisors Gonzalez, Ward - 2.

Monday, July 1, 1991

Adopted

[Appointment]

Resolution appointing member to the Drug Abuse Advisory Board, for the unexpired portion of the three-year term ending October 1, 1991. (Administration and Oversight Committee)

File 92-91-25, Resolution No. 590-91

(Stefano Hillman, vice Barbara Lowe (public), resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Memorandum of Understanding]

Resolution ratifying an extension of the July 1, 1989 - April 1, 1991 Memorandum of Understanding with the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO through April 1, 1992. (Employee Relations Division)

File 93-91-1, Resolution No. 591-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Official Newspaper]

Resolution designating certain newspapers to be official newspapers of the City and County, commencing July 1, 1991, for specified categories of official advertising. (Purchasing Department)

File 112-91-1, Resolution No. 582-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading

Monday, July 1, 1991

[Service Station Conversion]

Ordinance amending City Planning Code, relating to converting property containing a gasoline service station to other uses; amending Public Works Code, relating to service station conversions, and finding consistency with the priority policies set forth in City Planning Code Section 101.1. (Supervisor Hallinan)

File 115-91-4, Ordinance No.

(Adds City Planning Code Sections 228 through 228.5;
Deletes Public Works Code Article 15.1.)

(Approved, with amendments, by City Planning Commission Resolution No. 13101. General Rule Exemption from Environmental Impact Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

From Finance Committee Without Recommendation

Consideration Continued

[Government Funding]

Ordinance appropriating \$482,828 for other contractual services, Recreation and Park, for fiscal year 1990-91; providing for ratification of action previously taken; placing \$482,828 on reserve. (Controller)

File 101-90-99, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Alioto, moved to continue consideration to July 15, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Lease Amendment]

Ordinance approving Third Amendment to Stadium lease between City and County acting through the Recreation and Park Commission and the San Francisco Giants; companion measure to File 101-90-99. (Recreation and Park Commission)

File 65-91-3, Ordinance No.

Monday, July 1, 1991

Supervisor Hallinan, seconded by Supervisor Alioto, moved to continue consideration to July 15, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Settlement of Unlitigated Claim in Favor of City]
Resolution approving settlement agreement (Giants), including an unlitigated claim in the amount of \$292,000 in favor of the City and County. (Recreation and Park Commission)

File 49-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Alioto, moved to continue consideration to July 15, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

[Candlestick Park - Parking Lot Agreement]
Resolution approving agreement between San Francisco Giants and the City and County acting by and through the Recreation and Park Commission for operation of the parking lot at Candlestick Park for baseball events. (Recreation and Park Commission)

File 63-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Alioto, moved to continue consideration to July 15, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

John O'Brien.

Monday, July 1, 1991

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclamation]

Resolution declaring September 24, 1991 "A Better Way Day".
(Supervisors Shelley, Gonzalez, Migden)

File 4-91-17, Resolution No. 585-91

(June 24, 1991 - Introduced in Board for consideration on
July 1, 1991.)

Adopted.

[Letterman Army Medical Center Closure]

Motion directing the Budget Analyst to prepare a report on the fiscal and service impacts of the closure of Letterman Army Medical Center on the City and County of San Francisco. (Supervisor Alioto)

File 165-91-5

(June 24, 1991 - Introduced in Board for consideration on
July 1, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Britt, Gonzalez, Maher, Ward - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Monday, July 1, 1991

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-26, Resolution No. 583-91

(Gretchen Belli, member, Film and Video Arts Commission, July 16 - 31; Rand Castile, Director, Asian Art Museum, June 10 - 17; Marilyn Chow, President, Social Services Commission, July 19 - 21 and June 26 - July 3; August Coppola, member, Film and Video Arts Commission, June 23 - 28; Richard Guggenhime, member, Recreation and Park Commission, July 11 - 17; James Herman, President, Port Commission, June 28 - July 2; Michael Huerta, Executive Director, Port, June 28 - July 2; Grant Mickins, member, Civil Service Commission, June 20 - 25; Louise Renne, City Attorney, June 30 - July 7; Juan Rios, member, Civil Service Commission, June 18 - 29, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the Calendar.)

[Street Closing]

Resolution authorizing temporary closing of a portion of Grant Avenue, between California and Washington Streets, on Sunday, July 14, 1991, from 9:00 a.m. to 9:00 p.m., for a Chinese Cultural Show/Art Festival.

File 42-91-37, Resolution No. 584-91

Supervisor Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Britt, Gonzalez, Maher, Ward - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

Monday, July 1, 1991

[Parking Tax]

Draft ordinance amending Part III of the Municipal Code by repealing Sections 601, 602, 602A, 602.5, 602.5-1, 603 through 608, 610, 615 and 618 and by adding new Sections 601 through 607 and 612 to convert the tax to a tax on operators at the rate of \$11.00 per year per stall, plus a \$2.00 per year per stall surtax for valet parking stalls; and setting operative date. (Supervisor Kennedy presented on behalf of Supervisor Gonzalez.) Referred to Finance Committee.

File 127-91-9

Adopted

[Notice of Initiation of Proposed Legislation]

Motion initiating proceedings for the consideration of legislation amending the Public Works Code to require that projects within the City and County provide facilities and infrastructure necessary for the operation of non-potable water distribution systems, and legislation necessary for the operation of reclaimed water distribution systems; directing the Clerk of the Board of Supervisors to schedule a hearing and publish a notice of public hearing in accordance with specified sections of the California Government Code.

File 188-91-10

Supervisor Migden presented for immediate adoption.

Supervisor Migden, seconded by Supervisor Maher, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

The roll was called on the pending motion and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Gonzalez, Ward - 2.

Referred to Joint Committee

[Non-potable Water Use]

Ordinance amending Public Works Code by adding Article 23, to establish requirements for the use of non-potable water by

Monday, July 1, 1991

commercial, industrial and governmental water users. (Supervisor Migden presented.) Referred to Joint City Services/Economic and Social Policy Committee.

File 188-91-5

[Water Reclamation and Reuse]

Substitute ordinance amending Public Works Code by adding Article 22, establishing requirements for the use of reclaimed water. (Supervisor Achtenberg presented.) Referred to Joint City Services/Economic and Social Policy Committee.

File 188-91-2

Referred to Board

[Women and AIDS]

Resolution requesting that the Centers for Disease Control expand the CDC surveillance definition for AIDS to include opportunistic infections and/or indicator diseases that are particular to women and injection drug users with HIV infection. (Supervisors Migden and Britt presented.) Referred to Board July 8, 1991 For Adoption Without Reference to Committee Calendar.

File 13-91-16

[National Day of Protest Against Gag Rule]

Resolution endorsing the National Day of Protest against the Supreme Court's Rust v. Sullivan Decision, which prohibits agencies that receive Title X funds from fully informing their health care clients of all medically available family planning options and urges all San Franciscans to urge their congressional representatives to support HR 392 and S 323, overturning the gag rule regulations. (Supervisors Shelley, Britt, Achtenberg, Hallinan, Maher presented.) Referred to Board July 8, 1991 For Adoption Without Reference to Committee Calendar.

File 13-91-17

Referred to Committee

[Gift Acceptance]

Resolution accepting the gift of Marguerite Warren of two appropriate wooden benches to be placed adjacent to Room 228, City Hall, for the use and convenience of the public. (Supervisor Ward presented.) Referred to Administration and Oversight Committee.

File 38-91-6

Monday, July 1, 1991

Referred to Board

[CSAC Challenge Award]

Resolution applying for a 1991 Challenge Award from the County Supervisors Association of California for achievements in program and service delivery by the District Attorney Family Support Bureau through development of a new data processing system. (Supervisor Kennedy presented.) Referred to Board July 8, 1991 For Adoption Without Reference to Committee Calendar.

File 138-91-5

Suspension of the Rules

Supervisor Hallinan, seconded by Supervisor Migden, moved that the time limits prescribed in Rule 5.5 of the Board of Supervisors Rules of Order be suspended to permit introduction of the following Charter amendments for consideration at the November 5, 1991 election.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kennedy, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Britt, Gonzalez, Maher, Ward - 5.

Referred to Committee

[Ballot Measure]

Draft Charter amendment (First Draft) amending Section 3.661, relating to the powers and duties of the civil service commission. (Supervisor Hallinan presented on behalf of Civil Service Commission.) Referred to Administration and Oversight Committee with request it be considered at the July 9, 1991 meeting.

File 218-91-1

[Ballot Measure]

Draft Charter amendment (First Draft) amending the Charter by deleting Sections 8.320, 8.321, 8.322, 8.323, 8.324, 8.328, 8.330, 8.331, 8.332, 8.340, relating to qualifications, examinations, eligible lists, provisional appointments and dismissal during probation, and adding Section 8.320-1 incorporating the provisions of the above sections into Civil Service Commission rules. (Supervisor Hallinan presented on behalf of Civil Service Commission.) Referred to Administration and Oversight Committee with request it be considered at the July 9, 1991 meeting.

File 219-91-1

Monday, July 1, 1991

[Ballot Measure]

Draft Charter amendment (First Draft) amending Section 8.329, relating to the certification of eligibles. (Supervisor Hallinan presented on behalf of Civil Service Commission.) Referred to Administration and Oversight Committee with request it be considered at the July 9, 1991 meeting.

File 220-91-1

[Ballot Measure]

Draft Charter amendment (First Draft) amending Section 8.341, relating to the removal or discharge of permanent employees. (Supervisor Hallinan presented on behalf of Civil Service Commission.) Referred to Administration and Oversight Committee with request it be considered at the July 9, 1991 meeting.

File 223-91-1

[Ballot Measure]

Charter amendment (First Draft) amending Section 8.100, providing that persons (under the age of 18) appointed by the board of supervisors to boards, commissions or advisory bodies created by legislation of the board of supervisors need not be electors of the City and County. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee with request it be considered at the July 9, 1991 meeting.

File 225-91-1

Requests for Hearings

File 7-91-7, By Supervisor Shelley: To consider Municipal Railway's purchase of an automatic train control system. Referred to City Services Committee.

File 30-91-13, By Supervisor Alioto: To consider salaries for residential mental health programs and its alignment with comparable civil service positions. Referred to City Services Committee.

File 30-91-14, By Supervisors Britt, Hsieh, Alioto, Shelley: To consider status of the HIV Early Intervention Center and the scope of services offered. Referred to City Services Committee.

File 97-91-42, By Supervisor Achtenberg: To consider amending the Administrative Code pertaining to the Commission on the Status of Women. Referred to City Services Committee.

File 127-91-10, By Supervisor Britt: To consider reducing the small business registration fee from \$150 to \$75 in fiscal year 1991-92 and eliminating it completely in fiscal year 1992-93. Referred to Finance Committee.

Monday, July 1, 1991

File 127-91-11, By Supervisor Britt: To consider raising the payroll and gross receipts tax by 0.1 percent. Referred to Finance Committee.

File 127-91-12, By Supervisor Migden: To consider increasing the real property transfer tax to \$3.75 per \$500.00 of value; with an exemption for sales to first time homebuyers. Referred to Finance Committee.

File 235-91-1, By Supervisors Achtenberg, Britt, Migden: To consider the need for a center for lesbian/gay youth to congregate, receive counseling, peer support, recreation and appropriate safe sex information as well as exploring the feasibility of establishing one or more group homes for transient lesbian and gay youth. Referred to City Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that City Attorney prepare ordinance to increase the real property transfer tax to \$3.75 per \$500.00 of value; with an exemption for sales to first time homebuyers.

By Supervisor Achtenberg, that City Attorney prepare ordinance to amend the Administrative Code pertaining to the Commission on the Status of Women.

By Supervisor Alioto, that letter be sent to the Director of Planning inquiring into the step-by-step process for applying, receiving and appealing a permit, as well as the average amount of time involved, with organizational charts if available.

By Supervisor Britt, that City Attorney prepare ordinance to reduce the small business registration fee from \$150 to \$75 in fiscal year 1991-92 and eliminating it completely in fiscal year 1992-93. File 127-91-10.

By Supervisor Britt, that City Attorney prepare ordinance to consider raising the payroll and gross receipts tax by 0.1 percent.

By Supervisor Britt, that Budget Analyst comment on the fiscal impact if the small business registration fee was reduced from \$150 to \$75 in fiscal year 1991-92 and eliminated completely in fiscal year 1992-93.

By Supervisor Britt, that Budget Analyst comment on the fiscal impact by raising the payroll and gross receipts tax by 0.1 percent.

By Supervisor Kennedy, that City Attorney prepare legislation to amend the Minority, Women Business Enterprise ordinance to increase the threshold to qualify as a DBE firm to \$5 million gross receipts or other structural transition that graduates only when evidence is in place that firms can be competitive and to provide Latinos with a bid preference in the architect and engineering category of Chapter 12D.

Monday, July 1, 1991

Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jerry Bernstein (Supervisors Ward, Kennedy, Maher)
Calvin Hayes, Jr. (Supervisors Ward, Kennedy)

File 2-91-26

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:23 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, July 1, 1991

Approved by the Board of Supervisors on March 23, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 86

No. 27

DOCUMENTS DEPT.

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Monday, July 8, 1991
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City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 8, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noted absent at first roll call:

Supervisor Maher - 1.

Quorum present.

Supervisor Maher was noted present at 2:16 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, October 22, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Maher - 2.

COMMUNICATION

Date of Joint Public Hearing Rescheduled

The Clerk presented a communication from the San Francisco Redevelopment Agency regarding the proposed Rincon Point - South Beach Redevelopment Plan Amendment, requesting the joint public

Monday, July 8, 1991

hearing of the Board of Supervisors and the San Francisco Redevelopment Agency of July 15, 1991 be rescheduled to Monday, August 26, 1991.

Thereupon, Supervisor Kennedy, seconded by Supervisor Hallinan, moved to reschedule the joint public hearing to August 26, 1991.

Motion to reschedule the joint public hearing adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Referred to Joint Public Hearing

[Redevelopment Plan Amendment]

Substitute draft ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets) from 110 to 130 dwelling units per acre; allow accessory parking as a permitted use for the Oriental Warehouse; require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan. (Redevelopment Agency)

File 151-91-2, Ordinance No.

Pursuant to motion adopted above, subject legislation referred to Joint Board of Supervisors and San Francisco Redevelopment Agency public hearing of August 26, 1991.

CONSENT CALENDAR

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jones, et al. against the City and County, et al., by payment of \$45,000. (City Attorney)

Monday, July 8, 1991

File 45-91-34, Ordinance No. 285-91

(United States District Court No. C88-0084 WHO.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Lorenzo B. Dominguez against the City and County by payment of \$17,500. (City Attorney)

File 45-91-35, Ordinance No. 286-91

(Superior Court No. 911-501.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of the City and County against Bernard Sanford by accepting consideration in total amount of \$8,574 in cash and discharging said Bernard Sanford from further liability. (Tax Collector)

File 46-91-8, Ordinance No. 287-91

(Municipal Court No. 050586.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Administration and Oversight Committee

Finally Passed

(Supervisor Maher dissenting in Committee.)

Monday, July 8, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Rosane Recinos against the City and County by payment of \$15,000. (City Attorney)

File 45-91-31, Ordinance No. 284-91

(Superior Court No. 899-237.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Achtenberg, Maher - 2.

Absent: Supervisor Britt - 1.

Recommendation of Economic and Social Policy Committee

Passed for Second Reading as Amended

[Service Station Conversion]

Ordinance amending City Planning Code, relating to converting property containing a gasoline service station to other uses; amending Public Works Code, relating to service station conversions, and finding consistency with the priority policies set forth in City Planning Code Section 101.1. (Supervisor Hallinan)

File 115-91-4, Ordinance No.

(Adds City Planning Code Sections 228 through 228.5;
Deletes Public Works Code Article 15.1.)

(Approved, with amendments, by City Planning Commission
Resolution No. 13101. General Rule Exemption from
Environmental Impact Review.)

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to amend page seven, line seven, by adding a new section as follows:
"(f) If necessary, the Zoning Administrator shall have the authority to consult with or retain the assistance of the staffs of the Department of Public Works, Real Estate Department, Mayor's Office of Business and Economic Development, and Office of Community Development in the review of applications for service station conversion."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

Monday, July 8, 1991

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendation of Finance Committee

Adopted

[Redevelopment Agency]

Resolution approving the budget of the Redevelopment Agency of the City and County for fiscal year 1991-92 as amended; approving and authorizing an amendment to the Indebtedness Limitation Agreement between the Redevelopment Agency and the City and County; and approving issuance by the Agency of bonds in an aggregate principal amount not to exceed \$50,000,000 for the purpose of financing Redevelopment activities in fiscal year 1991-92. (Redevelopment Agency)

File 161-91-4, Resolution No. 601-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noes: Supervisor Maher - 1.

Recommendations of City Services Committee

Adopted as Amended

[Water Reclamation, Groundwater]

Resolution urging the Mayor to urge the Public Utilities Commission and Department of Public Works to develop effective wastewater reclamation, conjunctive use, and groundwater management plans throughout the service area of the San Francisco Water Department, and to begin discussions with neighboring communities regarding effective management of the Lake Merced groundwater aquifer; and to urge the cooperation of the Recreation and Park Department and the San Francisco Fire Department in minimizing the use of potable water for irrigation and firefighting purposes. (Supervisors Achtenberg, Maher, Hsieh, Gonzalez, Ward, Shelley)

File 188-91-9, Resolution No. 612-91

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved an amendment of the whole bearing same title as above.

Monday, July 8, 1991

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Kennedy - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Adopted

[SFPD Redistricting Plan]

Resolution urging the Mayor to urge the Police Commission to postpone a final decision regarding the pending police redistricting proposal to its meeting of July 24, 1991; to make available for public review by July 10, 1991, the complete redistricting proposal; and providing an additional two weeks of public notice of the pending redistricting proposal. (City Services Committee)

File 207-91-2, Resolution No. 602-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

John O'Brien;
Marvin Davis;
Maria Salazar.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Monday, July 8, 1991

Adopted

[Women and AIDS]

Resolution requesting that the Centers for Disease Control expand the CDC surveillance definition for AIDS to include opportunistic infections and/or indicator diseases that are particular to women and injection drug users with HIV infection. (Supervisors Migden, Britt, Achtenberg, Gonzalez)

File 13-91-16, Resolution No. 598-91

(July 1, 1991 - Introduced in Board for consideration on July 8, 1991.)

Adopted.

[National Day of Protest Against Gag Rule]

Resolution endorsing the National Day of Protest against the Supreme Court's Rust v. Sullivan Decision, which prohibits agencies that receive Title X funds from fully informing their health care clients of all medically available family planning options and urges all San Franciscans to urge their congressional representatives to support HR 392 and S 323, overturning the gag rule regulations. (Supervisors Shelley, Britt, Achtenberg, Hallinan, Maher, Migden)

File 13-91-17, Resolution No. 599-91

(July 1, 1991 - Introduced in Board for consideration on July 8, 1991.)

Adopted.

[CSAC Challenge Award]

Resolution applying for a 1991 Challenge Award from the County Supervisors Association of California for achievements in program and service delivery by the District Attorney Family Support Bureau through development of a new data processing system. (Supervisor Kennedy)

File 138-91-5, Resolution No. 600-91

(July 1, 1991 - Introduced in Board for consideration on July 8, 1991.)

Adopted.

[Condominium Project]

Motion approving final map of 355 Bryant Street, a condominium, being a resubdivision of Lot 68 in Assessor's Block 3774; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-19

Monday, July 8, 1991

(July 1, 1991 - Referred for consideration on July 8, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Shelley, Ward - 8.

Absent: Supervisors Britt, Kennedy, Migden - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Kennedy requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Referred to Committee

[Ship Repair - Six Point Plan]

Resolution urging the Mayor to urge the Port Commission to adopt a Six Point Policy Plan in support of the survival of the Ship Repair Industry in San Francisco, and urging that such policies be implemented by the Mayor, Port Commission, and Executive Director of the Port. (Supervisors Gonzalez, Migden, Achtenberg, Kennedy, Hsieh, Shelley, Ward)

File 173-91-4, Resolution No.

At the request of Supervisor Kennedy, referred to City Services Committee.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

Monday, July 8, 1991

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-27, Resolution No. 592-91

(Mayor Art Agnos, July 9 - 12; Sherri Chiesa, member, Public Utilities Commission, July 2 - 12; James Deignan, member, Health Service Board, July 7 - 10; Sharon Duvall, member, Airports Commission, July 8 - 11; H. Welton Flynn, member, Public Utilities Commission, July 14 - 16, July 23 - 29 and August 25 - September 2; Allen C. Haile, member, Social Services Commission, July 18 - 26; Thomas Horn, Trustee, War Memorial, June 26 - July 6; Michael Huerta, Executive Director, Port, June 28 - July 2 and July 3 - 7; May Jaber, member, Human Rights Commission, July 8 - 26; Margel Kaufman, member, Health Commission, July 9 - 20; Edwin Lee, Director, Human Rights Commission, June 28 - July 5; Victor Makras, member, Board of Permit Appeals, September 20 - 29; Paul Melbostad, member, Board of Permit Appeals, July 3 - 14; Rudolf Nothenberg, Chief Administrative Officer, July 9 - 11; Louise Renne, City Attorney, June 30 - July 7; Arlo Smith, District Attorney, July 12 - 18, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Polk Street, for filming of a television commercial by BFCS, Inc. (Supervisor Ward)

File 42-91-38, Resolution No. 596-91

(Polk Street, between McAllister and Grove Streets, Friday, July 12, 1991, from 6:00 p.m. to 5:00 a.m.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of Galvez and Yosemite Avenues, and Third Street, for a parade and fair celebrating the Bayview Hunters Point Multipurpose Senior Center's 20th anniversary; and providing for insurance. (Supervisor Ward)

File 42-91-39, Resolution No. 597-91

(Galvez Avenue, between Newhall and Mendell Streets, Saturday, July 13, 1991, from 10:00 a.m. to 12:00 noon;
Yosemite Avenue, between Lane and Mendell Streets, Saturday, July 13, 1991 from 12:00 noon to 5:00 p.m.;
Third Street (southbound right-hand traffic lane and adjacent parking lane only), between Evans and Yosemite Avenues, including intersections, Saturday, July 13, 1991, from 11:00 a.m. to 1:00 p.m.)

Monday, July 8, 1991

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Pegasus - America's Cup]
Resolution recognizing and applauding the pioneering efforts of the Pegasus Defense Syndicate which is putting together the first all women sailing team in the 140 year history of the America's Cup.

File 6-91-10, Resolution No. 593-91

Supervisor Ward presented for immediate adoption.

Adopted.

[State Legislation]
Resolution supporting Senate Bill 498 which adds Section 12305.6 to the Welfare and Institutions Code, relating to in-home supportive services.

File 12-91-33, Resolution No. 594-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[State Legislation]
Resolution requesting enactment of SB 855 relating to payment adjustments for disproportionate share hospitals and the provision of medi-cal services, which request is conditioned upon SB 855 retaining certain provisions.

File 12-91-35, Resolution No. 595-91

Supervisors Gonzalez and Achtenberg presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Monday, July 8, 1991

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Towaway, Bus Zones]

Ordinance amending Traffic Code by adding Section 62A, prohibiting stopping in bus zones and by amending Sections 59 and 71b, defining vehicles parked or stopped in bus zones as obstructing traffic, thereby permitting the towing away of illegally parked or stopped vehicles from bus zones. (Supervisor Shelley presented.) Referred to Economic and Social Policy Committee.

File 124-91-5

[Housing Authority Tenant Admission Policies]

Resolution urging the San Francisco Housing Authority to rescind any and all policies governing tenant admission and continued occupancy that require or allow Housing Authority personnel to review court records to determine if criminal activity is indicated. (Supervisor Kennedy presented.) Referred to City Services Committee.

File 206-90-5

Referred to Board

[Proclamation]

Resolution urging the Mayor to declare October 17-27, 1991 Red Ribbon Week in the City and County of San Francisco. (Supervisor Kennedy presented.) Referred to Board July 15, 1991 For Adoption Without Committee Reference Calendar.

File 4-91-18

Referred to Board

[California Tumor Registry]

Resolution urging the California State Health and Welfare Agency to maintain funding for the California Tumor Registry. (Supervisor Shelley presented.) Referred to Board July 15, 1991 For Adoption Without Committee Reference Calendar.

File 12-91-34

Monday, July 8, 1991

Referred to Committee

[Watershed Lands, San Mateo]

Draft resolution urging the Mayor to urge the Public Utilities Commission to halt consideration concerning the construction of a golf course on San Francisco watershed lands in San Mateo County until an updated watershed plan is completed. (Supervisor Maher presented.) Referred to City Services Committee.

File 191-91-1

[Amnesty-Surrender of Firearms]

Resolution urging the Mayor to request the San Francisco Police Department to institute an amnesty program to encourage individuals to surrender firearms for fifty dollars, with funds coming from drug forfeiture revenues. (Supervisor Kennedy presented.) Referred to City Services Committee.

File 207-91-3

Request for Hearings

File 100-91-5, By Supervisor Migden: To consider the supplemental appropriation process and the policies guiding the submission and approval of supplemental appropriations. Referred to Finance Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that letter of inquiry be sent to Chief of Police concerning incident on June 29, 1991 involving police officers at an Operation Rescue demonstration at 390 Laurel Street, and requesting specific information about the training and direction which police officers receive on how to respond to such events and an explanation of the procedures used.

By Supervisor Gonzalez, that letter of inquiry be sent to General Manager, Hetch Hetchy Water and Power, to determine whether brighter lights can be provided at the following locations: Kellogg Avenue (180, 94, 34), Garrison Avenue (180, 118, 14, 2), McCarthy Avenue (1, 28), Burr Avenue (38, 8) and Argonaut Avenue (2056, 84, 132, 233, 248, 318, 330, 420).

By Supervisor Gonzalez, that letter of inquiry be sent to Director of Public Works to determine whether the street can be paved on the 1200 block of Sunnydale Avenue.

By Supervisor Kennedy, that letter of inquiry be sent to Chief of Police to determine the feasibility of upgrading the visibility of police officers within the neighborhood of the Excelsior playground, particularly on Madrid Street, to help alleviate incidents of vandalism of automobiles.

Monday, July 8, 1991

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Recreation and Park Department, and General Manager, Hetch Hetchy Water and Power, to determine the feasibility of placing additional lighting on Madrid Street by the playground for safety and security reasons.

By Supervisor Kennedy, that letter be sent in reference to letter dated May 8, 1991 to Executive Director, Department of Parking and Traffic, concerning feasibility of changing the 24 hour "bus only" diamond lanes on Sutter and Post Streets to allow vehicular use during the normal rush hours from 7-9 a.m. and 4-6 p.m., Monday through Fridays, and requesting a response to that inquiry.

By Supervisor Gonzalez, that letter be sent to General Manager, Hetch Hetchy Water and Power, requesting investigation of report of leaks at the Hetch Hetchy dam and inquiring into the feasibility of installing filters in the different water faucets around the facility so that water is not wasted.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Waymond Hall, Sr. (Supervisor Ward)
Roxie Davis Whitfield (Supervisor Ward)
Wendell Michelob (Supervisor Migden)

File 2-91-27

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:11 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, July 8, 1991

Approved by the Board of Supervisors on March 23, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

01/06/1991

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No. 28

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Monday, July 15, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 15, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Doris M. Ward, the meeting was called to order at 2:04 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Hallinan, Hsieh, Maher, Migden, Shelley - 6.

Noted absent at first roll call:

Supervisors Alioto, Britt, Gonzalez, Kennedy, Ward - 5.

Quorum present.

Supervisor Alioto was noted present at 2:08 p.m.

Supervisor Britt was noted present at 2:24 p.m.

Supervisor Gonzalez was noted present at 2:07 p.m.

Supervisor Kennedy excused. (See infra.)

Supervisor Ward excused. (See infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Hsieh, seconded by Supervisor Migden, moved that Supervisor Maher be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh, Maher, Migden, Shelley - 6.

Absent: Supervisors Alioto, Britt, Gonzalez, Kennedy, Ward - 5.

Monday, July 15, 1991

Supervisor Maher thereupon assumed the Chair.

Supervisors Kennedy and Ward Excused

The Clerk announced that President Ward and Supervisor Kennedy requested to be excused from attending today's meeting.

Supervisor Migden, seconded by Supervisor Hsieh, moved to excuse Supervisors Kennedy and Ward from attendance.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Alioto, Britt, Kennedy, Ward - 4.

CONSENT CALENDAR

Recommendations of Finance Committee

Adopted

[Contracting Out City Services]
Resolution concurring with Controller's certification that services of the Court Management System Coordinator for the Municipal Court can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Municipal Court)

File 25-91-24, Resolution No. 610-91

Adopted.

[Contracting Out City Services]
Resolution concurring with Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney)

File 25-91-25, Resolution No. 617-91

Adopted.

[Contracting Out City Services]
Resolution concurring with Controller's certification that security guard services can be practically performed for the Department of

Monday, July 15, 1991

Public Health, San Francisco General Hospital by a private contractor for a lower cost than similar services performed by City and County employees. (Department of Public Health)

File 25-91-26, Resolution No. 618-91

Adopted.

[Contract]

Resolution authorizing the Department of Public Health, AIDS Office, to extend the terms of certain health service contracts on an interim month-to-month basis. (Department of Public Health)

File 30-91-12, Resolution No. 620-91

Adopted.

[Award of Lease]

Resolution rejecting bid of Federal Auto Parks, Inc. in response for bids for lease of the Seventh and Harrison Parking Lot and awarding said lease to Allright Parking/San Francisco as the highest, responsive and responsible bidder. (Real Estate Department)

File 47-91-9, Resolution No. 622-91

Adopted.

[Amendment to Lease]

Resolution authorizing amendment to lease of real property at the St. Mary's Square Garage for the Department of Parking and Traffic. (Real Estate Department)

File 47-91-10, Resolution No. 623-91

Adopted.

[AB 75 Capital Outlay Plan]

Resolution authorizing amendment to the AB 75 Capital Outlay Plan for San Francisco, as adopted by Resolution No. 125-91, to delete one San Francisco Community Clinic Consortium Project and to substitute in its place seven other San Francisco Community Clinic Consortium Projects. (Department of Public Health)

File 146-91-4.1, Resolution No. 635-91

Adopted.

Monday, July 15, 1991

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Homeless Programs, to accept and expend as sub-grantee a renewal grant of \$581,424 from the San Francisco Community Clinic Consortium of Federal Public Health Services funds for primary health care and substance abuse services and to authorize the expenditure of grant funds to finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-53, Resolution No. 643-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Service, Communicable Disease, STD Control, to apply for, accept and expend a grant of \$1,395,847, which includes indirect costs of \$143,520, based on 20 percent of personnel costs from the Centers for Disease Control for the provision of STD Services, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-55, Resolution No. 645-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Homeless Programs, to apply for a grant of up to \$200,000 a year for 3 years which includes indirect costs in an amount of up to \$20,000 based on 10 percent of the total award, from the Department of Transportation for the provision of outreach services to homeless persons in transit facilities. (Department of Public Health)

File 146-91-57, Resolution No. 646-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the San Francisco Public Library to apply for, accept and expend funds not to exceed \$66,220 available through California State Library from Title I of the Library Services and Construction Act for Major Urban Resource Libraries for fiscal year 1991-92. (Public Library)

File 147-91-6, Resolution No. 647-91

Adopted.

Monday, July 15, 1991

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Barbara Angeli against the City and County by payment of \$25,000. (City Attorney)

File 45-91-36, Ordinance No.

(Superior Court No. 891-115.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of McGuire & Hester against the City and County by payment of \$30,000. (City Attorney)

File 45-91-37, Ordinance No.

(United States District Court No. C89-4276 TEH.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Kathy King against David Marsh, et al. by payment of \$25,000. (City Attorney)

File 45-91-38, Ordinance No.

(Superior Court No. 912-273.)

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Alioto, Britt, Kennedy, Ward - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Economic and Social Policy Committee

Monday, July 15, 1991

Finally Passed

[Service Station Conversion]

Ordinance amending City Planning Code, relating to converting property containing a gasoline service station to other uses; amending Public Works Code, relating to service station conversions, and finding consistency with the priority policies set forth in City Planning Code Section 101.1. (Supervisor Hallinan)

File 115-91-4, Ordinance No. 288-91

(Adds City Planning Code Sections 228 through 228.5;
Deletes Public Works Code Article 15.1.)

(Approved, with amendments, by City Planning Commission Resolution No. 13101. General Rule Exemption from Environmental Impact Review.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

From Finance Committee Without Recommendation

Consideration Continued

[Government Funding]

Ordinance appropriating \$482,828 for other contractual services, Recreation and Park, for fiscal year 1990-91; providing for ratification of action previously taken; placing \$482,828 on reserve. (Controller)

File 101-90-99, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Lease Amendment]

Ordinance approving Third Amendment to Stadium lease between City and County acting through the Recreation and Park Commission and the San Francisco Giants; companion measure to File 101-90-99. (Recreation and Park Commission)

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File 65-91-3, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Settlement of Unlitigated Claim in Favor of City]
Resolution approving settlement agreement (Giants), including an unlitigated claim in the amount of \$292,000 in favor of the City and County. (Recreation and Park Commission)

File 49-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Candlestick Park - Parking Lot Agreement]
Resolution approving agreement between San Francisco Giants and the City and County acting by and through the Recreation and Park Commission for operation of the parking lot at Candlestick Park for baseball events. (Recreation and Park Commission)

File 63-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

From City Services Committee Without Recommendation

Consideration Continued

Monday, July 15, 1991

[Telephone Signaling Devices - Minors]

Ordinance amending the Police Code to prohibit the sale and possession of telephone signaling devices by minors. (Supervisor Gonzalez)

File 121-91-2, Ordinance No.

(Adds Section 558.)

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

NEW BUSINESS

Recommendations of Finance Committee

Consideration Continued

[Annual Budget]

Annual Budget for the City and County of San Francisco for Fiscal Year 1991-92.

File 100-91-1

The following excerpt is taken from the July 15, 1991 Budget Statement to the Board of Supervisors on behalf of the Finance Committee submitted by Supervisor Gonzalez. The full text of the message is on file with the Clerk of the Board of Supervisors.

BUDGET STATEMENT TO THE BOARD OF SUPERVISORS ON BEHALF OF THE FINANCE COMMITTEE

BY SUPERVISOR JIM GONZALEZ
CHAIR OF THE FINANCE COMMITTEE

July 15, 1991

The Finance Committee, consisting of Supervisors Kevin Shelley, Terence Hallinan and the undersigned, present to the Board of Supervisors its recommended budget for the City and County of San Francisco for Fiscal Year 1991-92. The budget of approximately \$2.4 billion is the City's fiscal plan for providing hundreds of essential services to the citizens of San Francisco. Because of the drought and the recent recession, the task of reviewing the Mayor's recommended 1991-92 budget has been one of the most, if not the most, difficult in recent memory. As a result, the Committee has made an

Monday, July 15, 1991

intensive indepth review of the Mayor's recommended budget. The difficulty of the Committee's task was compounded by the fact that estimated yearend surplus funds, which are used to balance the new budget, have been substantially depleted.

The Mayor, who along with the Board of Supervisors was faced with a project shortfall of up to \$135.6 million, has already made a very careful examination of the budget resulting in substantial reductions from departmental requests. Thus, the Committee was faced with attempting to further reduce the budget which has already been carefully scrutinized, with a view toward cutting out all unneeded items while ensuring that none of the Committee's cuts would result in further reductions of existing service levels. I am pleased to report that after extensive cooperation from the City departments, the Committee's objective has been accomplished.

The Committee is particularly pleased to submit its recommendations to the Board of Supervisors with unanimity.

The budget submitted by the Finance Committee includes total reductions of approximately \$13.5 million from the budget submitted by the Mayor. Net reductions, excluding work orders, amount to approximately \$12.3 million.

Of the \$12.3 million in net budget reductions, approximately \$5.1 million is from General Fund appropriations. Additionally, the budget, as recommended by the Finance Committee, includes reserves on appropriations of more than \$10.1 million. These reserves would be released, and expenditures allowed, only after further information is submitted to the Committee.

COMPARATIVE BUDGET DATA

The 1990-91 budget, as finally adopted by the Mayor and the Board of Supervisors, was \$2,288.6 million. The 1991-92 budget of \$2,401.9 million (excluding Mayor's budget adjustments) recommended by the Mayor contains an increase of approximately \$113.3 million over the 1990-91 budget adopted by the Board of Supervisors. The recommendations of the Finance Committee for the 1991-92 City and County budget are summarized as follows (in millions of dollars):

Mayor's Recommended 1991-92 Budget Excluding Reserves	\$ 2,401.9
Add Mayor's Budget Adjustments	<u>7.2</u>
Mayor's Adjusted 1991-92 Budget	2,409.1
Finance Committee Recommendations for adding Capital Improvements	1.7
Finance Committee's Recommended Reductions	(\$13.5)
Less Amounts Reduced from Work Order Departments and the Redevelopment Agency which will not reduce the Total Budget	(1.2) <u>\$ (12.3)</u>
Finance Committee's Recommended 1991-92 Budget	\$ 2,398.5

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Specific recommended reductions of the Finance Committee have been provided separately to the Board of Supervisors. The effect of these recommendations on each City and County department's budget is shown in the Attachment to this report. A summary of the highlights and major recommended amendments of the mayor's budget by the Finance Committee is included in the budget statement.

Supervisor Achtenberg, seconded by Supervisor Hallinan, moved to continue consideration to July 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Annual Appropriation Ordinance]

Annual Appropriation Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1992.

File 101-91-2, Ordinance No.

Supervisor Achtenberg, seconded by Supervisor Hallinan, moved to continue consideration to July 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Annual Salary Ordinance]

Annual Salary Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the Annual Budget and Appropriation Ordinance for fiscal year ending June 30, 1992, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-91-2, Ordinance No.

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Supervisor Achtenberg, seconded by Supervisor Hallinan, moved to continue consideration to July 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$26,924,000, Cleanwater Program, for capital improvement project (Lake Merced Transport Plan), for fiscal year 1991-92. (Controller)

File 101-90-47, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Government Funding]

Ordinance appropriating \$1,047,771, Cleanwater Program, 1988 Sewer Revenue Bond Fund, for capital improvement project (Sludge Management Plan), for fiscal year 1991-92; placing \$575,000 on reserve. (Department of Public Works)

File 101-90-129, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Airport Lease]

Ordinance approving the "Reappraisal of Plot 22 and Pier 3 Bulk Fuel Storage and Wharf Area Lease" between Shell Oil Company and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-91-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

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Absent: Supervisors Britt, Kennedy, Ward - 3.

[Lease Modification]

Ordinance confirming a Third Supplemental Agreement in modification of lease between San Francisco and Garden Chapel, Inc., a California Corporation, lessee for operating a funeral home with parking and landscaping, retroactive to September 1, 1990. (Public Utilities Commission)

File 65-91-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Plan Review Fee Schedule]

Ordinance amending Fire Code, increasing the property inspection fee for Fire Department review of plans submitted with building permit applications. (Supervisor Gonzalez)

File 117-91-1, Ordinance No.

(Amends Section 4.208.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Kennedy, Ward - 3.

[Reinspection Fees]

Ordinance amending Health Code, authorizing reinspection fees for State and Local Health Code violations and lien procedures for non-payment of the fees. (Department of Public Health)

File 118-91-4, Ordinance No.

(Adds Sections 609 through 609.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

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Adopted

[Public Transportation]

Resolution making a finding concerning proposed revisions of the Municipal Railway Fare Schedule. (Finance Committee)

File 7-91-6.1, Resolution No. 615-91

Supervisor Shelley, seconded by Supervisor Achtenberg, moved to continue consideration to July 22, 1991.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Shelley - 4.

Noes: Supervisors Alioto, Britt, Hsieh, Maher, Migden - 5.

Absent: Supervisors Kennedy, Ward - 2.

The roll was called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Refused Adoption; Rescinded; Consideration Continued

[Public Transportation]

Resolution approving a revised fare schedule for San Francisco Municipal Railway. (Public Utilities Commission)

File 7-91-6, Resolution No. 649-91

Refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Shelley - 3.

Noes: Supervisors Achtenberg, Alioto, Britt, Hsieh, Maher, Migden - 6.

Absent: Supervisors Kennedy, Ward - 2.

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved to rescind the previous vote:

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, July 15, 1991

Supervisor Gonzalez stated that the budget will be out of balance if the Board of Supervisors does not approve the revised fare schedule.

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved to continue consideration to July 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Adopted

[Claim Against the Government]

Resolution waiving Statute of Limitations with respect to payment of five certain warrants of the City and County, in the sum of \$965.20, a legal obligation of the City and County. (Controller)

File 23-91-3, Resolution No. 616-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Patient Day Rates]

Resolution fixing patient day rates for services furnished by City and County Health Care institutions and rescinding Resolution 302-89; retroactive to July 1, 1990. (Department of Public Health)

File 30-91-9, Resolution No. 619-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Contract Award Extension]

Resolution granting extension of time for awarding Municipal Railway Contract No. MR-892, Scott Facility Add-on. (Public Utilities Commission)

File 61-91-1, Resolution No. 610-91

Adopted by the following vote:

Monday, July 15, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Extension of Sublease]

Resolution authorizing extension of two existing subleases of real property required by the Department of Public Works, Human Rights Commission and Commission on the Status of Women at 1170 Market Street. (Real Estate Department)

File 64-91-17, Resolution No. 624-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Sublease of Property]

Resolution authorizing renewal of a sublease of real property at 414 Mason Street for Public Utilities Commission for its Bureau of Management Information Systems; retroactive to July 1, 1991. (Real Estate Department)

File 64-91-18, Resolution No. 625-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Lease of Property]

Resolution authorizing renewals and extensions of certain existing leases of real property required by the Department of Public Health and Sheriff; retroactive to July 1, 1991. (Real Estate Department)

File 64-91-19, Resolution No. 626-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, July 15, 1991

[Extension of Lease]

Resolution authorizing extension of month-to-month rental agreement and lease of real property required by the Public Utilities Commission at 100 McAllister Street; retroactive to July 1, 1991. (Real Estate Department)

File 64-91-20, Resolution No. 627-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Lease of Property]

Resolution authorizing renewal of lease of real property at 732 Brannan Street for the District Attorney's Office; retroactive to July 1, 1991. (Real Estate Department)

File 64-91-21, Resolution No. 628-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for and accept an augmentation to a grant of \$175,000 which excludes indirect costs since these costs are not allowed by the funder, from the State Department of Health Services, Maternal Child Health Branch for Black infant health and related perinatal services, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of services; providing for ratification of action previously taken; placing \$10,000 on reserve. (Department of Public Health)

File 146-91-10.1, Resolution No. 636-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

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[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Community Public Health Services, Communicable Disease, STD Control, to apply for, accept and expend a grant of \$342,861, which includes indirect costs in the amount of \$32,731 based on 20% of personnel costs, from the Centers for Disease Control for implementation and evaluation of an intervention to increase condom use, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-46, Resolution No. 637-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Community Public Health Services, Communicable Disease, STD Control, to apply for, accept and expend a grant of \$382,598, which includes indirect costs in the amount of \$24,682 based on 20 percent of personnel costs, from the Centers for Disease Control for alternative sexually transmitted disease services, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-47, Resolution No. 638-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Family Health Bureau, Dental Bureau, to apply for, accept and expend a continuation grant of \$12,708 which includes indirect costs in the amount of \$635, based on 5 percent of the total award from the State Department of Health Services, Dental Section, for dental health education in San Francisco elementary schools, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-48, Resolution No. 639-91

Monday, July 15, 1991

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, AIDS Office, to apply for, accept and expend a supplemental grant of \$598,112 which includes indirect costs of \$60,226 based on 20 percent of personnel costs, from Department of Health and Human Services, Centers for Disease Control, to supplement AIDS Prevention Project/Early Intervention Networking Pilot Project, and to authorize the expenditure of grant funds to establish and finance civil service positions for provision of these services; placing \$29,480 on reserve. (Department of Public Health)

File 146-91-49, Resolution No. 640-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services to apply for and accept a continuation grant of \$283,000, which includes indirect costs in the amount of \$12,528, based on 5 percent of personnel costs from the State Department of Mental Health Services, for consultation, education and information services, and to authorize the expenditure of grant funds to finance civil service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-50, Resolution No. 641-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - State Funds]

Resolution authorizing Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to accept and expend a continuation grant of \$36,911, which excludes indirect costs since these costs are not allowed by the funder, from the State

Monday, July 15, 1991

Department of Mental Health Services, for the Primary Prevention in Schools Project. (Department of Public Health)

File 146-91-51, Resolution No. 642-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Community Public Health Programs, to apply for and accept a grant of \$750,000, which includes indirect costs of \$41,270, based on 20 percent of personnel costs from Health and Human Services, Health Resources and Services Administration, for linked primary care medical and substance abuse treatment services, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-54, Resolution No. 644-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Grant - Federal Funds]

Resolution authorizing Director of Public Works to apply for, accept and expend Federal funds in the amount of \$788,000 for the pavement renovation of various streets as listed in this resolution; placing \$737,000 on reserve. (Department of Public Works)

File 148-91-10, Resolution No. 648-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Revenue Bond Sale]

Resolution providing for the issuance of not to exceed \$170,000,000 principal amount of City and County General Purpose Sewer Revenue Bonds, Series 1991, (Supplemental to Resolutions No. 542-88, adopted July 17, 1988 and Resolution No. 677-88, adopted August 19, 1988). (City Attorney)

Monday, July 15, 1991

File 170-91-4, Resolution No. 605-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Revenue Bond Sale]

Resolution authorizing and directing sale of not to exceed \$170,010,000 principal amount of City and County General Purpose Sewer Revenue Bonds, Series 1991, authorizing the publication of official notice of sale relating thereto; authorizing official action; and appointing fiscal agent; companion measure to File 170-91-4. (City Attorney)

File 170-91-4.1, Resolution No. 606-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Paratransit Broker Contract]

Resolution approving a 4-year, 9-month Paratransit Broker Contract with Cerenio Management Group to provide door-to-door paratransit services. (Public Utilities Commission)

File 172-91-5, Resolution No. 608-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Day Camp for Children at Candlestick Park]

Resolution urging the Mayor to urge the Recreation and Park Commission to use funds available to the Commission to establish a summer day camp for children 13 and older at Candlestick Park this summer, and requesting the Commission to advise the Board of the success of the Commission's efforts to establish the camp. (Supervisors Alioto, Migden)

File 193-91-5, Resolution No. 652-91

Adopted by the following vote:

Monday, July 15, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Conflict of Interest Code]
Ordinance amending the Administrative Code, to add the Film and Video Arts Commission to the agencies with disclosure responsibilities under the Conflict of Interest Code of the City and County.
(Supervisor Alioto)

File 97-91-39, Ordinance No.

(Adds Section 58.207.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Adopted

[Redistricting, State]
Resolution urging the State Legislature to create State Senate and State Assembly Districts which avoid dividing or diluting the voting power of any concentration of any major ethnic group and to continue to hold regional public hearings on redistricting plans so that the public can review and comment on any plan introduced in the Legislature. (Supervisors Maher, Hsieh)

File 12-91-31, Resolution No. 653-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointment]
Resolution appointing member to the Cultural Affairs Task Force, for the unexpired portion of one year term to end upon report to the Board of Supervisors. (Supervisor Hallinan)

File 92-91-12.3, Resolution No. 629-91

Monday, July 15, 1991

(Joan Holden, individual artist, vice Genny Lim, resigned.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

(Supervisor Britt dissenting in Committee.)

[Appointment]

Resolution appointing member to the Cultural Affairs Task force, for the one-year term ending upon completion of a written report to the Board of Supervisors. (Supervisor Hallinan)

File 92-91-12.4, Resolution No. 630-91

(Harry Polland, Arts related Labor Union.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee, and adopting findings waiving residency requirement. (Administration and Oversight Committee)

File 92-91-14.1, Resolution No. 630-91

(Boyd G. Stephens, M.D., Coroner, vice himself, term expired, for the three-year term ending June 30, 1994.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointments]

Resolution appointing members to the City-Wide Alcoholism Advisory Board, terms expired, for the three-year terms ending July 1, 1994. (Administration and Oversight Committee)

File 92-91-23.1, Resolution No. 632-91

Monday, July 15, 1991

(Eugene Coleman, vice himself;
William Gatt, vice Michael Hardeman;
Alonzo Gallaread, vice Mark Steinbrink;
Georgia Bates Creel, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan,
Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointments]

Resolution appointing members to the Hazardous Materials Advisory
Committee, terms expired, for four-year terms ending July 1, 1995.
(Administration and Oversight Committee)

File 92-91-26.1, Resolution No. 633-91

(Howard Strassner, neighborhood organization, vice himself;
Anthony Sacco, labor organization, vice himself;
William Harris, Jr., public, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan,
Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Appointments]

Resolution appointing members to the Park and Open Space Advisory
Committee, terms expiring July 15, 1991, for two-year terms ending
July 15, 1993. (Administration and Oversight Committee)

File 92-91-27.1, Resolution No. 634-91

(Gregory Gaar, California Native Plant Society, vice himself;
Robert J. Dutra, S.F. League of Conservation Voters, vice
himself;
Juanita Raven, vice herself;
Jeffrey Henne, S.F. League of Conservation Voters, vice himself;
Midge Wilson, S.F. League of Conservation Voters, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan,
Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Monday, July 15, 1991

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Amended; Consideration Continued

[Ballot Measure]

Charter amendment (((First)) Second draft) amending Section 8.100 providing that persons (under the age of 18) appointed by the board of supervisors to boards, commissions or advisory bodies created by legislation of the board of supervisors need not be electors of the City and County. (Supervisor Hallinan)

File 225-91-1

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to amend descriptive paragraph, beginning with lines four through eight, to read: "that minors may be appointed by the board of supervisors to boards, commissions or advisory bodies created by legislation of the board of supervisors if the legislation allows the appointment of minors to the board, commission or advisory body".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue Second Draft to July 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Consideration Continued

[Ballot Measure]

Charter amendment (First draft) amending Section 8.400 relating to providing workers salary continuation benefits to employees called to active duty with a United States military reserve organization. (Supervisor Maher)

File 228-91-1

Monday, July 15, 1991

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to July 22, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Recommendations of City Services Committee

Adopted

[Permit Appeal]

Motion approving decision of Director of Public Works to issue a permit to occupy a portion of the sidewalk area at 532 Day Street to install a brick walkway with steps, two brick surface areas, one 1-foot concrete coping, planting areas and other improvements, and remove and replace existing retaining wall at 536 Day Street. (City Services Committee)

File 24-91-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Permit Appeal]

Motion approving decision of Director of Public Works to issue a permit to occupy a portion of the sidewalk area at 466 Frederick Street to construct a warped driveway with two metal handrails. (City Services Committee)

File 24-91-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Recommendations of Economic and Social Policy Committee

Adopted

Monday, July 15, 1991

[Final Negative Declaration]

Resolution adopting Final Negative Declaration, finding and determining that reclassification from NC-2 (Small Scale) Neighborhood Commercial District to NC-3 (Moderate Scale) Neighborhood Commercial District for property located on Assessor's Block 6463, Lots 57 and 58, also described as 5199 Mission Street will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration. (Department of City Planning)

File 36-91-6, Resolution No. 621-91

(Approved by City Planning Commission Resolution No. 13034.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Passed for Second Reading

[Zoning Map Changes]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 5199 Mission Street, Lots 57 and 58, Assessor's Block 6463 from a NC-2 (Small Scale) Neighborhood Commercial District to a NC-3 (Moderate Scale) Neighborhood Commercial District; and adopting findings pursuant to Section 101.1 of the Planning Code; companion measure to File 36-91-6. (Department of City Planning)

File 36-91-6.1, Ordinance No.

(Approved by City Planning Commission Resolution No. 13033.)

Passed for Second Reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Adopted

[Bicycle Access On Golden Gate Bridge]

Resolution recommending to the Golden Gate Bridge Highway and Transportation District that the bridge be open to bicycle riding 24 hours a day, 365 days a year. (Supervisors Ward, Alioto, Migden, Kennedy, Maher)

File 55-91-1, Resolution No. 658-91

Adopted by the following vote:

Monday, July 15, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

[Northeastern Waterfront Survey Area]
Resolution amending Resolution No. 141-77, designating and describing the Northeastern Waterfront Survey Area by adding real property to said survey area. (Redevelopment Agency)

File 151-91-1, Resolution No. 607-91

(Adds 3,446 square feet within the Rincon Point subarea between Stewart and Spear Streets at the Embarcadero Freeway right-of-way.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to the decision of the Director of Public Works by its letter dated June 7, 1991, approving Tentative Map of 40-Lot Subdivision of Lots 12, 13, 14 and 15 in Assessor's Block 5054A of property located on Hester Avenue at Bayshore Boulevard.

File 59-91-1

(Appeal filed June 17, 1991.)

The following persons were sworn in and granted privilege of the floor:

Appellants:
Don Bertone;
Evelyn Wilson;
Dehnert Queen.

Respondents:
Bob Passmore, representing City Planning Commission and Department of City Planning;
Bobbie Sue Hood;
Jeanette Moore.

Monday, July 15, 1991

A rebuttal period was allowed.

The President then declared the hearing closed.

From the Clerk

Adopted

(Only one of the following two motions should be adopted.)

[Tentative Map - Subdivision]

Motion approving decision of the Director of Public Works, approving Tentative Map of 40-Lot Subdivision of Lots 12, 13, 14 and 15 in Assessor's Block 5054A of property located on Hester Avenue at Bayshore Boulevard.

File 59-91-1.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Tabled

[Tentative Map - Subdivision]

Motion disapproving decision of the Director of Public Works, approving Tentative Map of 40-Lot Subdivision of Lots 12, 13, 14 and 15 in Assessor's Block 5054A of property located on Hester Avenue at Bayshore Boulevard.

File 59-91-1.2

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Ward - 2.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to Tentative Map of 40-Lot Subdivision of Lots 12, 13, 14 and 15 in Assessor's Block 5054A of property located on Hester Avenue at Bayshore Boulevard, for consideration by the Board at its next meeting.

Monday, July 15, 1991

File 59-91-1.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Britt, Kennedy, Ward - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen.

Appointment of President Pro Tempore

At the request of President Pro Tempore Maher, Supervisor Achtenberg assumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclamation]

Resolution urging the Mayor to declare October 19-27, 1991 Red Ribbon Week in the City and County of San Francisco. (Supervisor Kennedy)

File 4-91-18, Resolution No. 650-91

(July 8, 1991 - Introduced in Board for consideration on July 15, 1991.)

Adopted.

[California Tumor Registry]

Resolution urging the California State Health and Welfare Agency to maintain funding for the California Tumor Registry. (Supervisors Shelley, Achtenberg, Alioto, Migden)

Monday, July 15, 1991

File 12-91-34, Resolution No. 651-91

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 7.

Absent: Supervisors Britt, Kennedy, Maher, Ward - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-28, Resolution No. 613-91

(Doris M. Ward, President, Board of Supervisors, July 9 - 16; Willie B. Kennedy, member, Board of Supervisors, July 13 - 19; Buck Bagot, President, San Francisco Redevelopment Agency, July 4 - 7; Raymond J. Baxter, Ph.D., Director of Health, July 4 - 7; Sonia Bolanos, member, San Francisco Redevelopment Agency, July 3 - 7; Gordon Chin, member, Public Utilities Commission, July 10 - 19; James Deignan, member, Health Service Board, July 7 - 12; Donald W. Dickinson, County Clerk, July 21 - 28; Kenneth Dowlin, City Librarian, July 23 - 24; Bonnie Gibson, member, Retirement Board, August 7 - 12; Leonard Graff, member, Human Rights Commission, July 16 - 23; Gary Kitahata, member, San Francisco Redevelopment Agency, July 4 - 9; L. L. Litchfield, Superintendent, Bureau of Building Inspection, September 8 - 13; Harry S. Parker III, Director, Fine Arts Museum August 2 - 19; Frederick F. Postel, Chief, Fire Department, July 27 - August 11; L. A. Turpen, Director of Airports, July 18 - 19; Boyd G. Stephens, M.D., Chief Medical Examiner, September 19 - 27, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

Monday, July 15, 1991

[State Legislation]

Resolution supporting AB 1643 which requires the State Department of Health Services to establish public health guidelines for the use of reclaimed water.

File 12-91-37, Resolution No. 603-91

Supervisors Migden, Achtenberg, Shelley presented for immediate adoption.

Adopted.

[State Legislation]

Resolution opposing passage of AB 416, relating to building standards.

File 12-91-38, Resolution No. 614-91

Supervisors Britt, Migden, Shelley, Achtenberg, Alioto, Hsieh presented for immediate adoption.

Adopted.

[Federal Legislation]

Resolution endorsing S 250, requiring states to allow people to register to vote when they apply for drivers' licenses and requiring states to make voter registration material available at public facilities.

File 13-91-18, Resolution No. 604-91

Supervisors Alioto, Gonzalez, Shelley presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 7.

Absent: Supervisors Britt, Kennedy, Maher, Ward - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

Monday, July 15, 1991

[Prevailing Wages, Leases]

Ordinance amending Administrative Code by adding Section 6.36-A, extending prevailing wage requirements to certain construction projects on privately owned property leased by the City and County, as tenant. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 97-91-43

[Government Funding]

Ordinance appropriating \$1,656,000, Board of Education, for program project budgets (after school sports and music programs) for fiscal year 1991-92. (Supervisors Hallinan and Gonzalez presented.) Referred to Finance Committee.

File 101-91-4

[Pedicabs]

Ordinance amending Police Code by repealing Section 3916, setting penalties for violation of the Pedicab Ordinance and adding a new Section 3916, to set new penalties. (Supervisor Alioto presented.) Referred to City Services Committee.

File 121-91-3

[Annual Business Tax Registration Fee]

Ordinance amending Part III of the Municipal Code (Business Tax Ordinance) by amending Section 1007 to reduce the Annual Business Tax Registration Fee from \$150.00 to \$75.00 for calendar year 1992 and to eliminate it entirely thereafter; operative date. (Supervisor Britt presented.) Referred to Finance Committee with request it be considered at the July 17, 1991 meeting.

File 127-91-10

Called from Committee

[Business/Payroll Expense Tax Changes]

Ordinance amending Part III of the Municipal Code (Payroll Expense Tax Ordinance) by adding Section 903.2 to increase tax rates from 1.5% to 1.6%; and (Business Tax Ordinance) by adding Section 1004.18 to increase tax rates by approximately 6.7%; operative date. (Supervisor Britt)

File 127-91-11

Supervisor Gonzalez, seconded by Supervisor Migden, moved to call above subject legislation from Committee with direction to schedule for Board meeting of July 22, 1991.

Motion adopted by the following vote:

Monday, July 15, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Kennedy, Ward - 2.

Referred to Joint City Services/Economic and
Social Policy Committee

[Non-potable Water Use]

Substitute draft ordinance amending Public Works Code by adding Article 23, to establish requirements for the use of non-potable water by commercial, industrial and governmental water users. (Supervisor Migden presented.) Referred to Joint City Services/Economic and Social Policy Committee with request it be considered at the July 23, 1991 meeting.

File 188-91-5

Referred to Board

[Street Closing]

Resolution authorizing temporary closing of a portion of California Street, (two northernmost lanes) between Cherry and Maple Streets, including the intersection of California and Commonwealth Streets, on Tuesday, July 23, 1991, from 10:00 a.m. to 2:00 p.m., for a rally by the California Nurses Association. (Supervisors Achtenberg and Shelley presented.) Referred to Board July 22, 1991 For Adoption Without Committee Reference Calendar.

File 42-91-40

[Peninsula Commute Service]

Resolution indicating an intent by the City and County to transfer certain San Francisco Public Utilities Commission assets to Samtrans towards the purchase of the Caltrain right of way, subject to a transfer agreement being finalized. (Supervisor Hsieh presented.) Referred to Board July 22, 1991 For Adoption Without Committee Reference Calendar.

File 171-91-9

[Peninsula Commute Service]

Resolution indicating an intent by the City and County to revise the Peninsula Corridor Study Joint Powers Board agreement to incorporate principles pertaining to future management of the peninsula commute service. (Supervisor Hsieh presented.) Referred to Board July 22, 1991 For Adoption Without Committee Reference Calendar.

File 171-91-10

Monday, July 15, 1991

[Child Care and Development Planning Council]
Resolution establishing a Local Child Care and Development Planning Council, whose primary function shall be the designation of priorities for the expansion of child care programs for children of families eligible for participation in federally funded child care and development programs. (Supervisor Achtenberg presented.) Referred to Board July 22, 1991 For Adoption Without Committee Reference Calendar.

File 174-91-4

Referred to Committee

[Task Force on Blue Collar Jobs]
Resolution establishing a Task Force on Blue Collar Jobs and Local Employment Opportunities facing San Francisco, particularly for residents under 25 years of age and to submit a report of its findings and recommendations to the Board of Supervisors by February 1, 1992. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 174-91-5

Requests for Hearings

File 101-90-72.1, By Supervisor Gonzalez on behalf of the Mayor: To consider release of reserves, Mayor's Office, Employee Relations Division, in the amount of \$50,000 for professional services and salaries. Referred to Finance Committee with request it be considered at the July 17, 1991 meeting.

File 45-91-32, By Supervisor Hallinan: To consider pending litigation of Associated General Contractors v. San Francisco (U.S. District Court No. C84-6899 TEH, U.S. Court of Appeals for the Ninth Circuit, No. 85-2420). Referred to Administration and Oversight Committee with request it be considered at the July 23, 1991 meeting.

File 53-91-2, By Supervisor Migden: To consider plans for study and construction of a "crosstown tunnel", which would take effluent from the Southeast Treatment Plant and transport it to the Oceanside Plant and into the Pacific Ocean; benefits of such a plan and how the City's plans for water reclamation may affect the necessity for such a tunnel. Referred to City Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to General Manager, Municipal Railway, inquiring into the possibility of increasing the number of Muni information phone lines.

Monday, July 15, 1991

By Supervisor Gonzalez, that letters of inquiry be sent to his Honor, the Mayor, and the Honorable Public Utilities and Civil Service Commissions to determine the status of review of alleged unfairness in the administration of the 9163 full-time transit operation test of July 13, 1991.

By Supervisor Hsieh, that letter of inquiry be sent to the Human Rights Commission to determine whether it is possible for the Commission to review computer tapes of radio communications between San Francisco police officers and central dispatchers from the last twelve months to identify whether any comments of a racial nature have been made.

By Supervisors Maher and Achtenberg, that letter be sent to the War Memorial Board of Trustees inquiring what plans they have to remodel the toilet facilities in the War Memorial Building to make them accessible to the physically disabled and what the time frame is for these plans.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

George T. Beasley (Supervisor Kennedy)
Max Schaefer (Supervisor Alioto)
Rose Schaefer (Supervisor Alioto)
Asha Jaini (Supervisor Hallinan)
Doris Alexander (Supervisor Terence Hallinan)
Michael A. Deering (Supervisor Shelley)
Karen Kinney (Supervisor Gonzalez)

File 2-91-28

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:41 p.m. adjourned.

John L. Taylor, Clerk

Monday, July 15, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 30, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

C. -
7/2 - 1/11
1/11
Vol. 86

No. 29

**Monday, July 22, 1991
and recesses to July 24, 1991
July 25, 1991**

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 22, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:23 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noted absent at first roll call:

Supervisor Alioto - 1.

Quorum present.

Supervisor Alioto was noted present at 2:28 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, October 29, 1990 be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Presentation of Guest

Supervisor Gonzalez introduced and welcomed the Honorable Roberta Hughes, Mayor of Gilroy, California.

Monday, July 22, 1991

Suspension of the Rules

Supervisor Gonzalez, seconded by Supervisor Maher, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mayor Hugas.

No objection and motion carried.

The Mayor spoke of the opening ceremony of the Garlic Festival in Gilroy and invited citizens of San Francisco to join the City of Gilroy in its celebration.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$26,924,000, Cleanwater Program, for capital improvement project (Lake Merced Transport Plan), for fiscal year 1991-92. (Controller)

File 101-90-47, Ordinance No. 290-91

Finally passed.

[Government Funding]

Ordinance appropriating \$1,047,771, Cleanwater Program, 1988 Sewer Revenue Bond Fund, for capital improvement project (Sludge Management Plan), for fiscal year 1991-92; placing \$575,000 on reserve. (Department of Public Works)

File 101-90-129, Ordinance No. 297-91

Finally passed.

[Airport Lease]

Ordinance approving the "Reappraisal of Plot 22 and Pier 3 Bulk Fuel Storage and Wharf Area Lease" between Shell Oil Company and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-91-4, Ordinance No. 291-91

Finally passed.

Monday, July 22, 1991

[Lease Modification]

Ordinance confirming a Third Supplemental Agreement in modification of lease between San Francisco and Garden Chapel, Inc., a California Corporation, lessee for operating a funeral home with parking and landscaping, retroactive to September 1, 1990. (Public Utilities Commission)

File 65-91-5, Ordinance No. 295-91

Finally passed.

[Plan Review Fee Schedule]

Ordinance amending Fire Code, increasing the property inspection fee for Fire Department review of plans submitted with building permit applications. (Supervisor Gonzalez)

File 117-91-1, Ordinance No. 298-91

(Amends Section 4.208.)

Finally passed.

[Reinspection Fees]

Ordinance amending Health Code, authorizing reinspection fees for State and Local Health Code violations and lien procedures for non-payment of the fees. (Department of Public Health)

File 118-91-4, Ordinance No. 299-91

(Adds Sections 609 through 609.3.)

Finally passed.

Adopted

[Mayor's Youth Fund]

Resolution authorizing the Mayor to accept \$52,500 on behalf of the City and County for use by the Mayor's Youth Fund (Mayor's Team '91). (Mayor)

File 68-91-4, Resolution No. 661-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to accept and expend a grant of \$498,444, which includes indirect costs of \$49,997, based on 20 percent of personnel costs from

Monday, July 22, 1991

Department of Health and Human Services, Centers for Disease Control, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of services. (Department of Public Health)

File 146-91-21.1, Resolution No. 663-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$199,177, which includes indirect costs in the amount of \$23,162 based on 20 percent of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Surveillance Expanded Initiatives and Evaluation Project, and to authorize the expenditure of grant funds to finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-31.1, Resolution No. 664-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to accept and expend a continuation grant of \$264,000 which includes indirect costs in the amount of \$5,280 based on 2 percent of total costs, from State Department of Mental Health Services, for AIDS/ARC residential care, Peter Claver Community, and Continuum HIV Adult Day Services. (Department of Public Health)

File 146-91-40.1, Resolution No. 665-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to apply for a supplemental grant of \$650,000, which includes indirect costs in the amount of 20 percent of personnel costs (to be determined) from the Centers for Disease Control, for a research study to evaluate HIV counseling models as part of operations of the San Francisco Sexually Transmitted Disease Prevention and Training Center, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-56, Resolution No. 666-91

Adopted.

Monday, July 22, 1991

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Barbara Angeli against the City and County by payment of \$25,000. (City Attorney)

File 45-91-36, Ordinance No. 293-91

(Superior Court No. 891-115.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of McGuire & Hester against the City and County by payment of \$30,000. (City Attorney)

File 45-91-37, Ordinance No. 289-91

(United States District Court No. C89-4276 TEH.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Kathy King against David Marsh, et al. by payment of \$25,000. (City Attorney)

File 45-91-38, Ordinance No. 294-91

(Superior Court No. 912-273.)

Finally passed.

[Conflict of Interest Code]

Ordinance amending the Administrative Code, to add the Film and Video Arts Commission to the agencies with disclosure responsibilities under the Conflict of Interest Code of the City and County. (Supervisor Alioto)

File 97-91-39, Ordinance No. 296-91

(Adds Section 58.207.)

Finally passed.

Recommendation of Economic and Social Policy Committee

Monday, July 22, 1991

Finally Passed

[Zoning Map Changes]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of property located at 5199 Mission Street, Lots 57 and 58, Assessor's Block 6463 from a NC-2 (Small Scale) Neighborhood Commercial District to a NC-3 (Moderate Scale) Neighborhood Commercial District; and adopting findings pursuant to Section 101.1 of the Planning Code; companion measure to File 36-91-6. (Department of City Planning)

File 36-91-6.1, Ordinance No. 292-91

(Approved by City Planning Commission Resolution No. 13033.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Adopted

[Public Transportation]

Resolution approving a revised fare schedule for San Francisco Municipal Railway. (Public Utilities Commission)

File 7-91-6, Resolution No. 649-91

(Filed June 28, 1991.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 6.

Noes: Supervisors Alioto, Britt, Hsieh, Maher, Migden - 5.

Passed for Second Reading as Amended

Monday, July 22, 1991

[Residential Parking Permit Fees]

((Ordinance amending Traffic Code, to increase from \$100 per year (or \$75 if purchased in the last six months of any year) to \$225 per year (or \$175 if purchased in the last six months of any year) the fee for issuance of said permits; to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue educational institution parking permits and to increase from \$13 to \$21 the fee for issuance of contractor parking permits; to increase the annual fee for issuance and renewal of residential parking permits to \$21 and the six month fee to \$10.50, to increase the fee for visitor's permits to \$5 per two week period, to increase from \$1 to \$5 the fee for a rental car permit, to increase from \$1 to \$3 the transfer charge and to increase the amount from specified permit fees that is to be deposited to the Road Fund.)) (Department of Parking and Traffic)

Ordinance amending Traffic Code by amending Section 202.C to increase from \$100 per year (or \$75 if purchased in the last six months of any year) to \$225 per year (or \$175 if purchased in the last six months of any year) the fee for issuance of annual nontransferable parking permits for contractors; by amending Section 308.3 to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue educational institution parking permits and to increase the fee for issuance of said permits from \$13 to \$21; by amending Section 314 to increase the annual fee for issuance and renewal of residential parking permits from \$13 to \$21 and the six month fee from \$6.50 to \$10.50 for permit renewals and from \$16 to \$21 for permits in a new area and the six month fee in the new area from \$8 to \$10.50; to increase the fee for visitor's permits from \$2 to \$5 per two week period, to increase from \$1 to \$5 the fee for a rental car permit, to increase from \$1 to \$3 the transfer charge and to increase the amount from specified permit fees that is to be deposited to the Road Fund.

File 124-91-4, Ordinance No.

(Amends Sections 202.C, 308.3, 314.)

Supervisor Maher, seconded by Supervisor Kennedy, moved to amend title to read: "Ordinance amending Traffic Code by amending Section 202.C to increase from \$100 per year (or \$75 if purchased in the last six months of any year) to \$225 per year (or \$175 if purchased in the last six months of any year) the fee for issuance of annual nontransferable parking permits for contractors; by amending Section 308.3 to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue educational institution parking permits and to increase the fee for issuance of said permits from \$13 to \$21; by amending Section 314 to increase the annual fee for issuance and renewal of residential parking permits from \$13 to \$21 and the six month fee from \$6.50 to \$10.50 for permit renewals and from \$16 to \$21 for permits in a new area and the six month fee in the new area from \$8 to \$10.50; to increase the fee for visitor's permits from \$2 to \$5 per two week period, to increase from \$1 to \$5 the fee for a rental car permit, to increase from \$1 to \$3 the transfer charge and to increase the amount from specified permit fees that is to be deposited to the Road Fund."

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Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 9.

Noes: Supervisors Maher, Migden - 2.

From Finance Committee Without Recommendation

Passed for Second Reading

[Parking Tax Surcharge]

Ordinance increasing the parking tax surcharge from five percentum to ten percentum effective August 1, 1991; amending Part III, Municipal Code by repealing Section 602.5-1; setting effective date. (Mayor)

File 127-91-8, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to amend by deleting the effective date.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Maher - 3.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Refused passage for second reading by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Kennedy, Maher, Migden - 5.

Noes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Shelley, Ward - 6.

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to rescind the previous vote.

No objection and motion carried.

After further discussion the roll was called again on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

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Noes: Supervisors Britt, Hsieh, Maher, Migden - 4.

Refused Passage for Second Reading As Amended

[Real Property Transfer Tax Increase]
Ordinance amending Article 12-C of Part III, Municipal Code, imposing a real property transfer tax, to increase the real property transfer tax rate from \$2.50 for each \$500.00 of consideration or value to \$3.75 for each \$500.00 of consideration or value for transactions in which the consideration exceeds \$400,000; effective September 1, 1991. (Supervisor Migden)

File 127-91-12, Ordinance No.

(Amends Section 1102.)

Supervisor Migden, seconded by Supervisor Achtenberg, moved to amend title, line seven and page two, line seven, by inserting effective date of "September 1, 1991".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Gonzalez, Hsieh, Maher - 3.

The roll was then called on the ordinance and it was refused passage for second reading as amended by the following vote:

Ayes: Supervisors Britt, Hallinan, Migden - 3.

Noes: Supervisors Achtenberg, Alioto, Gonzalez, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

(See also Journal of Proceedings of July 24, 1991.)

From Finance Committee
With Recommendation "DO NOT PASS"

Refused Passage for Second Reading

[Annual Business Tax Registration Fee]
Ordinance amending Article 12-B of Part III, Municipal Code (Business Tax Ordinance) to reduce the Annual Business Tax Registration Fee from \$150 to \$75 for calendar year 1992, and to eliminate it entirely thereafter, setting operative date. (Supervisor Britt)

Monday, July 22, 1991

File 127-91-10, Ordinance No.

(Amends Section 1007.)

Refused passage for second reading by the following vote:

Ayes: Supervisors Britt, Hsieh, Migden - 3.

Noes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 8.

Called from Finance Committee by the Board

Tabled

[Business/Payroll Expense Tax Changes]
Ordinance amending Article 12-A of Part III, Municipal Code (Payroll Expense Tax Ordinance), to increase tax rates from 1.5% to 1.6%; and amending Municipal Code (Business Tax Ordinance) to increase tax rates by approximately 6.7%; setting operative date. (Supervisor Britt)

File 127-91-11, Ordinance No.

(Adds Sections 903.2 and 1004.18.)

Supervisor Britt, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recess

Supervisor Gonzalez, seconded by Supervisor Alioto, moved that the Board recess so that he may confer with the Controller and Mayor's Budget Director.

No objection and motion carried.

The Board, at the hour of 4:45 p.m., took a recess.

Reconvening of the Board

The Board, at the hour of 5:40 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

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Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noted absent: Supervisors Alioto, Britt - 2.

Quorum present.

Supervisor Alioto was noted present at 5:42 p.m.

Supervisor Britt was noted present at 5:42 p.m.

Consideration Continued

[Annual Budget]

Annual Budget for the City and County of San Francisco for Fiscal Year 1991-92.

File 100-91-1

(Administrative Code Section 3.5 provides the Board shall adopt the Budget not earlier than July 15, 1991 nor later than July 26, 1991.)

In response to Supervisor Migden's inquiry to clarify the time line for passage of the budget and what happens if the Board does not pass a budget today, Deputy City Attorney Ted Lakey cited Charter Section 6.205 as follows: "After public hearing, and not earlier than the 15th day of July, nor later than the first of August of each year the Board of Supervisors shall adopt the proposed budget as submitted or as amended and shall adopt the annual appropriation ordinance accordingly, which shall supersede the interim appropriation ordinance."

Mr. Lakey stated Section 6.205 also allows the time line to be amended or altered by eight votes. He notes the Board must take action by the first of September since the Interim Annual Appropriation Ordinance expires on that date.

Supervisor Alioto, seconded by Supervisor Gonzalez, moved to amend the budget to restore funds cut by the Mayor from the following services:

Mount Zion Crisis Clinic	\$300,000
Child and Family Day Treatment Center	140,000
Chronic Fatigue Syndrome	20,000
Mission Neighborhood Health Services	12,000
Monterey Clinic Gay	<u>24,000</u>
TOTAL	\$496,000.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Migden, Shelley - 6.

Noes: Supervisors Achtenberg, Hallinan, Kennedy, Maher, Ward - 5.

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Supervisor Shelley, seconded by Supervisor Hsieh, moved to rescind the previous vote:

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

The roll was called on the pending amendment and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Britt, Migden - 3.

Noes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved to amend the budget to provide \$208,866 for South East Potrero.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Kennedy, Migden, Shelley - 6.

Noes: Supervisors Achtenberg, Hallinan, Hsieh, Maher, Ward - 5.

Supervisor Shelley, seconded by Supervisor Hsieh, moved to rescind the previous vote:

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

There being no objection, Supervisor Kennedy withdrew her motion to amend.

After a period of debate, the roll was called on the budget and it was refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisors Alioto, Britt, Hsieh, Migden - 4.

Supervisor Migden, seconded by Supervisor Kennedy, moved to rescind the previous vote:

Motion to rescind adopted by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Maher, seconded by Supervisor Migden, moved to continue consideration to July 29, 1991.

Recess

Supervisor Achtenberg, seconded by Supervisor Gonzalez, moved substitute motion to recess and reconvene at 8:30 p.m.

Motion to recess adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisors Alioto, Britt, Hsieh, Migden - 4.

The Board, at the hour of 6:58 p.m., recessed.

Reconvening of the Board

The Board, at the hour of 9:15 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Quorum present.

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to a recessed meeting at 2:00 p.m. Wednesday, July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Request Granted

Supervisor Hallinan requested the President to notify the Presiding Judge of the Superior Court he might have to be available if the Board does not meet its budget deadline in accordance with the Charter.

No objection and Clerk directed to comply.

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Consideration Continued

[Annual Appropriation Ordinance]

Annual Appropriation Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1992.

File 101-91-2, Ordinance No.

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Annual Salary Ordinance]

Annual Salary Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the Annual Budget and Appropriation Ordinance for fiscal year ending June 30, 1992, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-91-2, Ordinance No.

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendations of Administration and Oversight Committee

Ordered Submitted

[Ballot Measure]

Charter amendment (Second draft) amending Section 8.100 providing that minors may be appointed by the Board of Supervisors to boards, commissions or advisory bodies created by legislation of the board

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of supervisors if the legislation allows the appointment of minors to the board, commission or advisory body. (Supervisor Hallinan)

File 225-91-1

Ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Ballot Measure]

Charter amendment (First draft) amending Section 8.400 relating to providing workers salary continuation benefits to employees called to active duty with a United States military reserve organization. (Supervisor Maher)

File 228-91-1

Ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

(But see also Journal of Proceedings of July 24, 1991.)

From Economic and Social Policy Committee
Without Recommendation

(Supervisor Alioto excused from voting.)

Consideration Continued

[Condominium Conversions]

Ordinance amending the Subdivision Code, to create the tenant home ownership opportunity program of 1990, to exempt from the conversion limitations of Section 1396 for the period from the effective date of this ordinance through December 1992 the conversion of 1000 units in apartment complexes of 25 to 200 units where two-thirds of the tenants agree to the conversion, making findings with respect to the exemption, and amending the Administrative Code to provide that a landlord may not evict tenants from units converted to condominiums under Subdivision Code Section 1396B on the ground that the landlord or a relative desires to occupy the unit. (Supervisors Kennedy, Hsieh)

File 126-90-1, Ordinance No.

(Amends Administrative Code Section 37.9;
Amends Subdivision Code Section 1396;
Adds Subdivision Code Section 1396B.)

(Categorically exempt from environmental review)

(October 15, 1990 - Supervisor Alioto was excused from voting by the Board.)

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Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to August 19, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Excused: Supervisor Alioto - 1.

Supervisor Hsieh requested to be added as co-sponsor of this legislation.

From the Clerk

(Absent: Supervisors Kennedy, Ward.)

[Findings]

Motion adopting findings relating to the appeal of the approval by the Director of Public Works of an application for a tentative map subdividing into 40 lots the four existing lots in the northeast corner of the intersection of Bayshore Boulevard and Hester Avenue (Assessor's Block 5054a, Lots 12, 13, 14, 15).

File 59-91-1.4

Supervisor Maher, seconded by Supervisor Kennedy, moved to amend by adding the following language:

"10. The Board hereby requires, as a condition to the approval of the Tentative Map to be satisfied prior to or with the recordation of the Final Map, that restrictions be recorded against the property requiring the maintenance of the steps connecting Hester Avenue to the private road within the subdivision, and providing for the allocation of the cost of maintenance of the steps among the benefited property owners.

"This Board, after carefully balancing the competing public and private interests, hereby denies the appeal and affirms the approval by the Director of Public Works of the Tentative Map for a 40-lot subdivision of Lots 12, 13, 14 and 15 in Assessor's Block 5054A."

After a period of discussion, there being no objection, Supervisor Maher withdrew the motion to amend.

Supervisor Achtenberg, seconded by Supervisor Shelley, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Monday, July 22, 1991

NEW BUSINESS

Recommendations of Finance Committee

Amended; Consideration Continued as Amended

[Government Funding]

Ordinance appropriating \$392,899, Commission on the Aging, for permanent salaries, related mandatory fringe benefits, contractual services, materials and supplies, data/word processing equipment and services of other departments - Reproduction; rescinding \$174,122 from other contractual services, transferring eight positions from Public Health to Commission on the Aging for fiscal year 1991-92; placing \$6,800 on reserve. (Controller)

File 101-91-3, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to amend page two, line five, by inserting a new "Section 2" to reflect funds are appropriated for eight positions transferred from Public Health and amend line six, by renumbering the section from "2" to "3".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Gonzalez, seconded by Supervisor Maher, moved to continue consideration to August 5, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Passed for Second Reading

[Fees - Video Display Terminals Variances and Exemptions]
Ordinance amending Health Code, providing for application fees for variances and exemptions from the requirements of the video display terminals worker safety ordinance. (Supervisor Alioto)

File 118-90-8, Ordinance No.

(Adds Section 1310.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Monday, July 22, 1991

[Grant Applications]

Ordinance amending Administrative Code, which establishes the procedures used by the Board of Supervisors in considering and approving applications for grants by city officers, employees, boards or commissions, by requiring that all resolutions authorizing applications for grants be accompanied by a completed "Disability Access Checklist for Grant Applicants". (Supervisors Migden, Alioto, Gonzalez, Hallinan, Shelley, Achtenberg, Ward)

File 97-91-16.2, Ordinance No.

(Amends Section 10.170.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

In connection with the foregoing item, Supervisors Achtenberg and Ward requested to be added as co-sponsors.

Consideration Continued

[Disability Access Checklist]

Resolution approving a "Disability Access Checklist for Grant Applications" to be completed by city officers, employees, boards or commissions seeking the approval of grant applications by the Board of Supervisors, as required by ordinance of the City and County; companion measure to File 97-91-16.2. (Supervisors Migden, Gonzalez, Shelley, Hallinan, Alioto)

File 97-91-16.3, Resolution No.

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Claim Against the Government]

Resolution waiving the statute of limitations with respect to payment of certain warrant of the City and County, to John P. Hegarty, in the amount of \$483.33, a legal obligation of the City and County of San Francisco. (Controller)

File 97-91-1.1, Resolution No. 659-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Monday, July 22, 1991

[Gift Acceptance]

Resolution accepting two gifts valued at \$166,510, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-91-5, Resolution No. 660-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Acquisition - Noise Easements]

Resolution authorizing acquisition of approximately 20 noise easements in the City of Millbrae for purposes of airport noise mitigation. (Real Estate Department)

File 82-91-2, Resolution No. 662-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Right-of-Way Certification]

Resolution authorizing the Director of Public Works or the Director of Property to execute right-of-way certifications for State and Federally funded road projects. (Real Estate Department)

File 200-91-3, Resolution No. 669-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

[Agreement]

Resolution authorizing the Fire Department to execute hold harmless agreements to be entered into between the City and County and Jet Skis Manufacturers. (Fire Department)

File 208-91-1, Resolution No. 670-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Alioto - 1.

Monday, July 22, 1991

Recommendations of City Services Committee

Rereferred to Committee

[Film and Video Arts Commission]

Ordinance amending the Administrative Code, to clarify powers of the Film and Video Arts Commission, to permit film companies to enter into use agreements with the Executive Director, to conform Chapter 57 with the Charter and other applicable regulations of the City and County and to correct clerical errors. (Supervisor Alioto)

File 97-91-40, Ordinance No.

(Amends Sections 57.2, 57.3, 57.4, 57.5, 57.6, 57.8,
57.11 and 57.13.)

Supervisor Alioto, seconded by Supervisor Hsieh, moved to rerefer to City Services Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted

[Permit Appeal]

Motion approving decision of Director of Public Works to issue a minor sidewalk encroachment permit to occupy and maintain the existing encroachment of 5'8" high wrought iron fence fronting property located at 366 Arleta Avenue. (City Services Committee)

File 24-91-5

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

COMMITTEE REPORTS

From Administration and Oversight Committee
Without Recommendation

Consideration Continued

In response to Supervisor Hallinan's inquiry concerning deadline for submittal of charter amendments, Deputy City Attorney Ted Lakey stated the Registrar of Voters indicated that a continuance of all the charter amendments to Wednesday is agreeable to her. However, the Supervisors need to waive Board's Rule 5.5g before any Board order of submission to the electorate.

Monday, July 22, 1991

[Ballot Measure]

Charter amendment (First draft) amending Section 3.661 relating to the powers and duties of the Civil Service Commission. (Supervisor Hallinan)

File 218-91-1

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Ballot Measure]

Charter amendment (Second Draft) amending the charter by deleting Sections 8.320, 8.321, 8.322, 8.323, 8.324, 8.328, 8.330, 8.331, 8.332 and 8.340 relating to qualifications, examinations, eligible lists, provisional appointments and dismissal during probation, and adding new Section 8.320-1 incorporating the provisions of the above sections into Civil Service Commission rules. (Supervisor Hallinan)

File 219-91-1

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Ballot Measure]

Charter amendment (Second Draft) amending Section 8.329 relating to the certification of eligibles. (Supervisor Hallinan)

File 220-91-1

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Ballot Measure]

Charter amendment (Second Draft) amending Section 8.341 relating to the removal or discharge of permanent employees. (Supervisor Hallinan)

File 223-91-1

Monday, July 22, 1991

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

[Ballot Measure]

Charter amendment (Draft) adding Section 8.408 authorizing collective bargaining on wages, hours, benefits and other terms and conditions of City employment; amending Section 8.517-1 relating to early service retirement. (Supervisor Shelley)

File 229-91-1

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of Administration and Oversight Committee

[Ballot Measure]

Charter amendment (Second Draft) amending Section 3.530-3 thereto, relating to the reclassification and status of Housing Police Officers. (Supervisor Gonzalez)

File 190-91-1

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to continue consideration to recessed meeting of July 24, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Monday, July 22, 1991

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Achtenberg requested that the following measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Tabled

[Street Closing]

Resolution authorizing temporary closing of a portion of California Street, for a rally by the California Nurses Association. (Supervisors Achtenberg and Shelley)

File 42-91-40, Resolution No.

(California Street, (two northernmost lanes) between Cherry and Maple Streets, including the intersection of California and Commonwealth Streets on Tuesday, July 23, 1991, from 10:00 a.m. to 2:00 p.m..)

(July 15, 1991 - Introduced in Board for consideration on July 22, 1991.)

Supervisor Achtenberg, seconded by Supervisor Shelley, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Adopted as Amended

[Child Care and Development Planning Council]

Resolution establishing a Local Child Care and Development Planning Council, whose primary function shall be the designation of priorities for the expansion of child care programs for children of families eligible for participation in federally funded child care and development programs. (Supervisors Achtenberg, Kennedy, Ward, Alioto, Shelley, Migden)

File 174-91-4, Resolution No. 609-91

Monday, July 22, 1991

(July 15, 1991 - Introduced in Board for consideration on
July 22, 1991.)

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

In connection with the above item Supervisor Kennedy, Ward, Alioto, Shelley and Migden requested to be added as co-sponsors.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Peninsula Commute Service]

Resolution indicating an intent by the City and County to transfer certain San Francisco Public Utilities Commission assets to SamTrans towards the purchase of the CalTrain right of way, subject to a transfer agreement being finalized. (Supervisor Hsieh)

File 171-91-9, Resolution No. 667-91

(July 15, 1991 - Introduced in Board for consideration on
July 22, 1991.)

Adopted.

[Peninsula Commute Service]

Resolution indicating an intent by the City and County to revise the Peninsula Corridor Study Joint Powers Board agreement to incorporate principles pertaining to future management of the peninsula commute service. (Supervisor Hsieh)

File 171-91-10, Resolution No. 668-91

Monday, July 22, 1991

(July 15, 1991 - Introduced in Board for consideration on
July 22, 1991.)

Adopted.

[Condominium Project]

Motion approving final map of 1776 Sacramento Street, a condominium project, being a resubdivision of Lot 22 in Assessor's Block 622; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-20

(July 8, 1991 - Introduced in Board for consideration on
July 22, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-29, Resolution No. 654-91

(Willie B. Kennedy, member, Board of Supervisors, July 26 - 28;
Leonard Graff, member, Human Rights Commission, July 16 - 23;
Vivian Hallinan, member, Human Rights Commission, July 16 - 23;
Anne Halsted, member, Port Commission, July 17 - 19, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

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Adopted

[State Legislation]

Resolution opposing enactment of Senate Bill 376 regarding tobacco control, which would preempt local ordinances or regulations that attempt to regulate the sale, distribution, advertising, or promotion of tobacco products, smoking in public places, or smoking in workplaces excepting local ordinances in effect on July 1, 1991.

File 12-91-40, Resolution No. 655-91

Supervisor Alioto presented for immediate adoption.

Adopted.

[Immigration Funding Project]

Resolution supporting the continuation of SLIAG funding.

File 13-91-19, Resolution No. 656-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[China Floods]

Resolution urging San Francisco residents to support the American Red Cross effort to provide relief to victims of the floods in China.

File 236-91-1, Resolution No. 657-91

Supervisor Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Security]

Ordinance amending Building Code by amending Section 4104 to exempt state licensed residential board and care homes from certain

Monday, July 22, 1991

requirements. (Supervisor Alioto presented.) Referred to Economic and Social Policy Committee.

File 114-91-8

[Security]

Ordinance amending Housing Code by amending Section 706 to exempt state licensed residential board and care homes from certain requirements. (Supervisor Alioto presented.) Referred to Economic and Social Policy Committee.

File 125-91-1

Referred to Board

[State Legislation]

Resolution urging support of AB 23X repealing sales tax on free newspapers. (Supervisors Shelley, Alioto, Achtenberg, Maher, Migden presented.) Referred to Board July 29, 1991 For Adoption Without Committee Reference Calendar.

File 12-91-39

Referred to Committee

[Croatian and Slovenian Communities]

Resolution supporting United States recognition of Croatian and Slovenian independence.

File 13-91-20

Supervisors Kennedy and Achtenberg presented for immediate adoption.

At the request of Supervisor Hallinan, referred to Economic and Social Policy Committee.

[Discrimination]

Resolution urging the Boy Scouts of America to terminate their policy of excluding lesbians and gays from positions of leadership in scout troops and urging the City's Congressional and State Legislative Delegations to use their offices to bring about the end of such discrimination. (Supervisors Achtenberg, Britt, Migden presented.) Referred to Economic and Social Policy Committee.

File 238-91-1

Requests for Hearings:

File 7-91-9, By Supervisor Alioto: To consider extending the Taylor Street cable car line by one, two or three blocks to Fisherman's Wharf. Referred to Economic and Social Policy Committee.

Monday, July 22, 1991

File 128-91-2, By Supervisor Hallinan: To consider the need for a very small quantity generator hazardous waste collection program and options for providing this service. Referred to Economic and Social Policy Committee.

File 237-91-1, By Supervisor Alioto: To consider the structural integrity of the 700-1000 blocks of North Point Street when trucks or light-rail buses pass by and the possibility of a study on repairing this street. Referred to City Services Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Achtenberg, that letter be sent to Chief of Police inquiring whether the Police Department has a policy of enforcing recently enacted legislation that makes blocking a wheelchair curb cut a towable offense and what the policy is for citing cars blocking such curb cuts.

By Supervisor Alioto, that letter of inquiry be sent to Director of Public Works concerning the City's programs for removing litter and request a complete list of litter removal projects.

By Supervisor Alioto, that Budget Analyst prepare report on the cost to extend the Taylor Street cable car line by one, two or three blocks to Fisherman's Wharf.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Parking and Traffic Department to determine the feasibility of surveying how many parking meters are located within bus zones.

By Supervisor Kennedy, that letters be sent to his Honor, the Mayor, Controller and City Attorney, requesting information concerning garnishment of wages of Susie Abram and Len Carrington.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-91-42. [Settlement of Lawsuit] Authorizing settlement of litigation of Jeffrey Charles and Bernard Charles against the City and County by payment of \$25,000. (City Attorney). Administration and Oversight.

File 65-91-6. [Lease] Approving a five (5) year lease between City and County of San Francisco and Space Systems/Loral, Inc., Lessee (50± acres of Water Department watershed land located in Santa Clara County for Radar Range Facility (Satellite Antenna Research Test Facility). (Public Utilities Commission). Finance.

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File 84-91-1. [Project Lease & Acquisition - 25 Van Ness Avenue] Approving and authorizing the execution and delivery of a facilities lease, a property purchase agreement, a purchase and sale assignment, a trust agreement, as assignment agreement and a purchase contract in connection with the City and County of San Francisco certificates of participation (25 Van Ness Avenue Project); authorizing and ratifying execution of documents reasonably necessary for the issuance, sale and delivery of the certificates of participation; and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the project. (Chief Administrative Officer). Finance.

File 102-91-3. [Public Employment] Amending Annual Salary Ordinance, 1991-92, Commission on Aging, reflecting the addition of eight positions Classifications 1426 Senior Clerk Typist (1), 2587 Health Worker III (5), 2588 Health Worker IV (1), and 2593 Health Program Coordinator III (1); companion measure to File 101-91-3. (Civil Service Commission). Finance.

Resolutions Referred to Committee

File 7-91-8. [Public Transportation] Approving the partial discontinuance of service of Municipal Railway Line 30X-Marina Express; companion measure to File 7-91-8.1. (Public Utilities Commission). Scheduled for Public Hearing before Board on August 5, 1991 at 3:00 p.m.

File 7-91-8.1. [Public Transportation] Disapproving the partial discontinuance of service of Municipal Railway Line 30X-Marina Express; companion measure to File 7-91-8. (Public Utilities Commission). Scheduled for Public Hearing before Board on August 5, 1991 at 3:00 p.m.

File 38-91-9. [Acceptance of Gift] Authorizing the Recreation & Park Department to accept one gift valued at \$14,230, from Northern California Grant Makers, for use at Recreation and Park Department playgrounds, day camps and afterschool sites. (Recreation and Park Department). Finance.

File 41-91-2. [Assessment Costs - Sidewalk and Curb Repairs] Confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund. (Department of Public Works). Scheduled for Public Hearing before Board on August 5, 1991 at 3:00 p.m.

File 47-91-7.1. [Award of Lease] Accepting bid of S & F/MEDA in response to call for bids for lease of Mission Bartlett Parking Garage and awarding said lease to said bidder as the highest and best responsible bidder. (Real Estate Department). Finance.

File 172-91-7. [Contract] Authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days. (Juvenile Probation Department). Finance.

Monday, July 22, 1991

Recess

Supervisor Maher, seconded by Supervisor Hsieh, moved that the Board recess until 2:00 p.m. on Wednesday, July 24, 1991 for the purpose of considering the budget and related ordinances and to consider other matters continued to that recessed meeting.

Motion to recess adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

The Board, at the hour of 10:13 p.m., recessed its meeting to reconvene on Wednesday, July 24, 1991, at 2:00 p.m.

John L. Taylor, Clerk

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Wednesday, July 24, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in recessed session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:34 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan - 5.

Quorum present.

Supervisor Achtenberg was noted present at 2:38 p.m.

Supervisor Alioto was noted present at 2:38 p.m.

Supervisor Britt was noted present at 2:38 p.m.

Supervisor Gonzalez was noted present at 2:38 p.m.

Supervisor Hallinan was noted present at 2:38 p.m.

Recess

At the request of President Ward, the Board recessed at the hour of 2:37 p.m. to convene in closed session pursuant to Government Code Section 54956.9(b)(2) to determine whether exposure to litigation would result if the Board fails to adopt a Budget within certain budget deadlines and whether exposure to litigation would result from the submission of proposed charter amendments to the November ballot.

Reconvening of the Board

The Board, at the hour of 3:32 p.m., reconvened.

Wednesday, July 24, 1991

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 9.

Noted absent:

Supervisors Alioto, Kennedy - 2.

Quorum present.

Supervisor Alioto was noted present at 3:50 p.m.

Supervisor Kennedy was noted present at 3:52 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives and the City Attorney as provided in the Government Code.

Recommendation of Administration and Oversight Committee

Consideration Resumed; Amended;
Ordered Submitted as Amended

[Ballot Measure]

Charter amendment (((First)) Second Draft) amending Section 8.400 relating to providing workers salary continuation benefits to employees called to active duty with a United States military reserve organization. (Supervisor Maher)

File 228-91-1

(July 22, 1991 - First draft ordered submitted.)

Supervisor Maher, seconded by Supervisor Hsieh, moved to rescind the previous vote taken on July 22, 1991.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Maher, seconded by Supervisor Hsieh, moved amendment which would give the Board authority to decide whether to grant workers salary continuation benefits.

Motion to amend adopted by the following vote:

Wednesday, July 24, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Second Draft ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

COMMITTEE REPORTS

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.)

Suspension of the Rules

Supervisor Hsieh, seconded by Supervisor Gonzalez, moved to suspend Rule 5.5(g) of the Board of Supervisors Rules of Order so the Board can consider the following charter amendments today.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendation of Administration and Oversight Committee

Ordered Submitted as Amended

[Ballot Measure]

Charter amendment (((Second)) Third Draft)) amending Section 3.530-3 thereto, relating to the reclassification and status of Housing Police Officers. (Supervisor Gonzalez)

File 190-91-1

Supervisor Hallinan presented as recommendation of Committee.

Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to amend page two, last paragraph, by deleting "in accordance with Section 8.506-3 of this Charter" and inserting "subject to the approval of the Public Employees' Retirement System to retain said employees. If the City is unable to obtain the agreement of the Public Employees' Retirement System to retain those employees who were Housing Police Officers on January 1, 1991, then said employees will be individually offered the choice of Q2 status and pension benefits under Charter Section 8.586 as of January 1, 1992 or retention of their current status in all respects".

Motion to amend adopted by the following vote:

Wednesday, July 24, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Kennedy - 1.

Third draft ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

From Administration and Oversight Committee
Without Recommendation

Tabled

[Ballot Measure]

Charter amendment (First draft) amending Section 3.661 relating to the powers and duties of the Civil Service Commission. (Supervisor Hallinan)

File 218-91-1

Supervisor Hallinan presented from Committee without recommendation.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Ordered Submitted

[Ballot Measure]

Charter amendment (Second Draft) amending the charter by deleting Sections 8.320, 8.321, 8.322, 8.323, 8.324, 8.328, 8.330, 8.331, 8.332 and 8.340 relating to qualifications, examinations, eligible lists, provisional appointments and dismissal during probation, and adding new Section 8.320-1 incorporating the provisions of the above sections into Civil Service Commission rules. (Supervisor Hallinan)

File 219-91-1

Supervisor Hallinan presented from Committee without recommendation.

Second draft ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Noes: Supervisor Maher - 1.

Wednesday, July 24, 1991

Ordered Submitted as Amended

[Ballot Measure]

Charter amendment (((Second)) Third Draft) amending Section 8.329 relating to the certification of eligibles. (Supervisor Hallinan)

File 220-91-1

Supervisor Hallinan presented from Committee without recommendation.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page two, line 13, after "sex" by inserting "; provided however, the appointing officer shall give due consideration to applicable civil service equal employment opportunity (EEO) goals so as to maximize diversity at all levels of city employment. The mayor and the board of supervisors shall annually review each department's performance in meeting its civil service EEO obligations."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Third draft ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

[Ballot Measure]

Charter amendment (((Second)) Fourth Draft) amending Section 8.341 relating to the removal or discharge of permanent employees. (Supervisor Hallinan)

File 223-91-1

Supervisor Hallinan presented as recommendation of Committee.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to amend by adding the following sections B and C:

"B. The effectiveness of this charter amendment is contingent upon the voters' approval at the November 5, 1991 election of an amendment adding Section 8.409 to this charter. If the amendment adding Section 8.409 to this charter is not adopted at the November 5, 1991 election, then it is the voters intent that (1) this amendment shall have no force and effect, (2) this amendment shall not become part of the charter, and (3) Section 8.431 shall continue to read as it did immediately before the November 5, 1991 election.

"C. Subject to the contingency set forth in Section B above, this charter amendment shall be effective September 1, 1992. Prior to that date, Section 8.341 of this charter shall continue to read as it had immediately before the November 5, 1991 election."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Third draft ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to further amend page four by inserting a new subsection B, and renumber current "B" and "C" to "C" and "D", as follows:

"B. Notwithstanding the provisions of Subsection A above, a recognized employee organization and any affected city department may agree to alternative procedures, including final and binding arbitration by a neutral arbitrator jointly selected by the employee organization and the city, to deal with charges brought against individual employees, the resolution of such charges and the appropriate discipline, if any, to be imposed on the employee. Said alternative procedures shall be included in a memorandum of understanding between the city and the employee organization which shall be effective when ratified by the Board of Supervisors."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Wednesday, July 24, 1991

Fourth Draft ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Question Divided; Ordered Submitted as Divided

[Ballot Measure]

((Charter amendment (draft) adding Section 8.408 authorizing collective bargaining on wages, hours, benefits and other terms and conditions of City employment; amending Section 8.517-1 relating to early retirement.)) (Supervisor Shelley)

Charter amendment (Third Draft) adding Sections 8.409, 8.409-1, 8.409-2, 8.409-3, 8.409-4, 8.409-5 and 8.409-6 relating to rights and obligations of employees and employer concerning bargaining and impartial arbitration of employment disputes for miscellaneous employees; and ((amending Section 8.517-1 relating to early service retirement))."

File 229-91-1

The Clerk announced the City Attorney submitted a document dated "3:45p 7/23 [Third Draft]", which is also dated "7/24" at the bottom of the pages, which is the result of the negotiations between the City's Employee Relations Division and the various labor unions, entitled: "Charter amendment (Third Draft) adding Sections 8.409, 8.409-1, 8.409-2, 8.409-3, 8.409-4, 8.409-5 and 8.409-6 relating to rights and obligations of employees and employer concerning bargaining and impartial arbitration of employment disputes for miscellaneous employees; and amending Section 8.517-1 relating to early service retirement."

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend by substituting the Third Draft.

At the request of Supervisor Hallinan, the question was divided with respect to early service retirement, so that the matter could be considered separately.

The roll was then called on the motion to amend by substituting the Third Draft concerning collective bargaining as divided and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Third draft concerning collective bargaining as divided ordered submitted by the following vote:

Wednesday, July 24, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Gonzalez, Hsieh, Maher - 3.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to rescind the previous vote.

Motion to rescind the vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Third draft concerning collective bargaining, as divided, ordered submitted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

Consideration Continued

[Ballot Measure]

Charter amendment (First Draft) amending Section 8.517-1 relating to early service retirement.

File 239-91-1

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to July 29, 1991.

In response to Supervisor Migden's inquiry, Deputy City Attorney Ted Lakey indicated the Registrar of Voters will accept one charter amendment on Monday, July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Hsieh, Maher - 2.

From the Clerk

Adopted as Amended

[Findings]

Motion adopting findings relating to the appeal of the approval by the Director of Public Works of an application for a tentative map subdividing into 40 lots the four existing lots in the northeast corner of the intersection of Bayshore Boulevard and Hester Avenue (Assessor's Block 5054a, Lots 12, 13, 14, 15).

File 59-91-1.4

Wednesday, July 24, 1991

Supervisors Kennedy and Ward Excused from Voting

The Clerk stated that Supervisors Kennedy and Ward were not present during the public hearing on this item and should be excused from voting.

Thereupon, Supervisor Hsieh, seconded by Supervisor Hallinan, moved to excuse Supervisors Kennedy and Ward from voting on this item.

Motion to excuse Supervisors Kennedy and Ward from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to amend by adding the following language: "10. This Board hereby requires, as a condition to the approval of the Tentative Map to be satisfied prior to or with the recordation of the Final Map, that restrictions be recorded against the property requiring the maintenance of (1) the area of the steps connecting Hester Avenue to the driveway easement within the subdivision, (2) the driveway easement area identified on the Tentative Map, and (3) any mechanical gates which are installed along roads or walkways, and providing for the allocation of the cost of such maintenance among the benefited property owners. This Board, after carefully balancing the competing public and private interests, hereby denies the appeal and affirms the approval by the Director of Public Works of the Tentative Map for a 40-lot subdivision of Lots 12, 13, 14 and 15 in Assessor's Block 5054A."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 8.

Excused: Supervisors Kennedy, Ward - 2.

Absent: Supervisor Maher - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 8.

Excused: Supervisors Kennedy, Ward - 2.

Absent: Supervisor Maher - 1.

Wednesday, July 24, 1991

From Finance Committee Without Recommendation

Consideration Resumed; Amended; Refused Passage for
Second Reading as Amended

[Real Property Transfer Tax Increase]

Ordinance amending Article 12-C of Part III, Municipal Code, imposing a real property transfer tax, to increase the real property transfer tax rate from \$2.50 for each \$500.00 of consideration or value to \$3.75 for each \$500.00 of consideration or value for transactions in which the consideration exceeds \$400,000; effective September 1, 1991 and terminating February 29, 1992. (Supervisor Migden)

File 127-91-12, Ordinance No.

(July 22, 1991 - Refused passage for second reading as amended.)

Supervisor Gonzalez, seconded by Supervisor Maher, moved to rescind the previous vote taken on July 22, 1991.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisors Hallinan, Hsieh - 2.

Supervisor Migden, seconded by Supervisor Britt, moved to amend title, line eight, by inserting "and terminating February 29, 1992" and amend page two, line seven, by replacing "not apply prior to said date" with "terminate on February 29, 1992".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisors Hallinan, Hsieh - 2.

The roll was called on the pending ordinance as amended and it was refused passage for second reading as amended by the following vote:

Ayes: Supervisors Britt, Migden - 2.

Noes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Recommendation of Finance Committee

Wednesday, July 24, 1991

Consideration Continued

[Annual Budget]

Annual Budget for the City and County of San Francisco for Fiscal Year 1991-92.

File 100-91-1

The roll was called on the Annual Budget and it was refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisors Alioto, Britt, Hsieh, Migden - 4.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to rescind the latest vote on the budget.

Recess

Supervisor Shelley, seconded by Supervisor Gonzalez, moved to recess until 9:00 p.m.

Motion to recess adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 8.

Noes: Supervisors Kennedy, Maher, Ward - 3.

The Board, at the hour of 7:35 p.m., recessed.

Reconvening of the Board

The Board, at the hour of 9:38 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Quorum present.

The pending motion to rescind the previous vote on the budget was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Wednesday, July 24, 1991

In response to Supervisor Hallinan's inquiry whether, under the provisions of the Charter, at this point the Board has a balanced budget before them and all of the Supervisors have had an opportunity to make whatever motions they may have, the Board of Supervisors is bounded under the Charter to vote in favor of this budget, Deputy City Attorney Ted Lakey stated, "yes".

In response to Supervisor Hallinan's inquiry whether those Supervisors who refuse to vote in favor of this budget are acting in violation of the Charter, Mr. Lakey stated, "assuming the meeting is adjourned, that would be the case".

In response to Supervisor Ward's inquiry what the Board's status is if the budget is not adopted, Deputy City Attorney Ted Lakey stated there are two possible results: the City could end up in litigation and if the situation is not resolved by September 1, the Controller would not have authority to make payments.

Mr. Lakey stated there is a provision in the Charter which allows the Board to extend the August 1 deadline up to no later than August 31, but the Board must keep in mind the legislation requires two readings, not less than five days apart.

Supervisor Maher, seconded by Supervisor Hsieh, moved that the Annual budget and its enabling ordinances be continued to July 29, 1991 and that the Board adjourn until Monday.

Motion refused adoption by the following vote:

Ayes: Supervisors Hsieh, Maher - 2.

Noes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 9.

Supervisor Britt, seconded by Supervisor Alioto, moved to extend the date to August 26, 1991 for final passage.

In response to Supervisor Gonzalez's inquiry what deadline the Controller is under for paying bills and employees, Mr. John Madden stated Charter Section 6.303 indicates no money shall be drawn from the treasury of the city and county, nor shall any obligation for the expenditure of any money be incurred except in pursuance of appropriations provided by the annual budget. The interim appropriation ordinance stays in effect until September 1. We could continue to operate until September 1. After September 1, there is no legal basis to draw checks in payment of salaries, supplies or obligations necessary. In short, the City would shut down except for those items under court order.

Because the City Attorney advised that the Board has until August 1 to adopt a motion to extend the deadline and there being no objection, Supervisor Britt withdrew his motion.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to recessed meeting of July 25, 1991 at 4:00 p.m.

Wednesday, July 24, 1991

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Alioto, Maher, Ward - 3.

[Annual Appropriation Ordinance]

Annual Appropriation Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1992.

File 101-91-2, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to recessed meeting of July 25, 1991 at 4:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Alioto, Maher, Ward - 3.

[Annual Salary Ordinance]

Annual Salary Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the Annual Budget and Appropriation Ordinance for fiscal year ending June 30, 1992, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-91-2, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to recessed meeting of July 25, 1991 at 4:00 p.m.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Alioto, Maher, Ward - 3.

Report Requested; Referred to Board

Report by the Executive Director, Parking and Traffic Department, on the functions and operations of the Department.

File 243-91-1.

Scheduled for Board meeting of August 19, 1991 by direction of the President at the request of Supervisor Kennedy.

Requests Granted

Supervisor Kennedy requested letter be sent to Executive Director, Parking and Traffic Department, for report in writing and orally on the functions and operations of the Department, scheduled for consideration at the Board meeting of August 19, 1991.

Supervisor Kennedy requested letter be sent to Executive Director, Parking and Traffic Department, inquiring what the Department is doing to promote minority businesses, why is it that Rapid Shine cannot come under the Proprietary List and to comment on statement alleging that the Department is doing everything it can to displace Rapid Shine.

Supervisor Kennedy requested City Attorney investigate allegations that the Parking and Traffic Department is doing everything it can to displace Rapid Shine, such as interfering with vendors doing business with them.

No objection and Clerk directed to comply.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[SB 855 Revenue Priorities]
Resolution outlining the priorities of the Board of Supervisors for SB 855 money for health programs and urging the Mayor to submit a supplement request for funding consistent with these priorities upon certification of the money by the Controller. (Supervisors Achtenberg, Ward, Shelley, Hallinan, Gonzalez, Kennedy presented.)
Referred to Board July 29, 1991 For Adoption Without Committee Reference Calendar.

File 100-91-6

Wednesday, July 24, 1991

Recess

Supervisor Gonzalez, seconded Supervisor Hallinan, moved that the Board recess to reconvene on Thursday, July 25, 1991, at 4:00 p.m.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Alioto, Maher, Ward - 3.

RECESS

The Board, at the hour of 10:05 p.m., recessed its meeting to reconvene on Thursday, July 25, 1991, at 4:00 p.m.

John L. Taylor, Clerk

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Thursday, July 25, 1991 - 4:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in recessed session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 4:20 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Ward - 9.

Noted absent at first roll call:

Supervisors Maher, Shelley - 2.

Quorum present.

Supervisor Shelley was noted present at 4:21 p.m.

Recommendations of Finance Committee

Consideration Continued

[Annual Budget]

Annual Budget for the City and County of San Francisco for Fiscal Year 1991-92.

File 100-91-1

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Thursday, July 25, 1991

[Annual Appropriation Ordinance]

Annual Appropriation Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1992.

File 101-91-2, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

[Annual Salary Ordinance]

Annual Salary Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the Annual Budget and Appropriation Ordinance for fiscal year ending June 30, 1992, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-91-2, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to continue consideration to July 29, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Doris Kahn (By the entire Board)
Ray Towbis (By the entire Board)
Fredric P. Sutherland (By the entire Board)

Thursday, July 25, 1991

John Burr (Supervisor Kennedy)
Michael Miller (Supervisor Alioto)

File 2-91-28.1

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour
4:27 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all action taken by
the Board of Supervisors on the matter stated, but not
necessarily the chronological sequence in which the matters
were taken up.

Approved by the Board of Supervisors on April 13, 1992.

I, John L. Taylor, Clerk of the Board of Supervisors of the City
and County of San Francisco, hereby certify that the foregoing is a
true and correct copy of the Journal of Proceedings of said Board on
the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

21/91

Vol. 86

No. 30

**Monday, July 29, 1991
and recess to July 31, 1991**

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 29, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 9.

Noted absent at first roll call:

Supervisors Alioto, Shelley - 2.

Quorum present.

Supervisor Alioto was noted present at 2:16 p.m.

Supervisor Shelley was noted present at 2:19 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Alioto, moved that the Journal of Proceedings for Monday, November 5, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 10.

Absent: Supervisor Shelley - 1.

CONSENT CALENDAR

Monday, July 29, 1991

Severed from Consent Calendar

Supervisor Gonzalez requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Consideration Continued

[Government Funding]

Ordinance appropriating \$1,656,000, Board of Education, for program project budgets (after school sports and music programs) for fiscal year 1991-92. (Supervisors Hallinan, Gonzalez)

File 101-91-4, Ordinance No.

Supervisor Gonzalez requested that this item be considered along with the Annual Budget for fiscal year 1991-92.

Consideration continued to recessed meeting of July 31, 1991.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Fees - Video Display Terminals Variances and Exemptions]

Ordinance amending Health Code, providing for application fees for variances and exemptions from the requirements of the video display terminals worker safety ordinance. (Supervisor Alioto)

File 118-90-8, Ordinance No. 302-91

(Adds Section 1310.)

Finally passed.

Adopted

[Award of Lease]

Resolution accepting bid of Five Star Parking in response to call for bids for lease of Golden Gateway Parking Garage and awarding said lease to said bidder as the highest and best responsible bidder. (Real Estate Department)

Monday, July 29, 1991

File 47-91-5.1, Resolution No. 673-91

Adopted.

[Federal Funds]

Resolution authorizing Private Industry Council of San Francisco to apply for, accept and expend \$35,917 of Federal funds for refugee services. (Private Industry Council)

File 156-91-3, Resolution No. 684-91

Adopted.

[Social Services Contract]

Resolution authorizing the Agreement (CD-8514) in the amount of \$121,610 between San Francisco and the State of California Department of Education for participation by the City and County in the State's Child Care Development Program for fiscal year 1991-92. (Department of Social Services)

File 172-91-6, Resolution No. 685-91

Adopted.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Escapade, Inc. against the City and County by payment of \$47,000. (City Attorney)

File 45-91-39, Ordinance No.

(Superior Court No. 904-358.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Louisa Hendrix against the City and County by payment of \$387,500. (City Attorney)

File 45-91-40, Ordinance No.

(Superior Court No. 883-674.)

Passed for second reading.

Monday, July 29, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Sonni M. Glasner against the City and County by payment of \$15,000. (City Attorney)

File 45-91-41, Ordinance No.

(Superior Court No. 874-151.)

Passed for second reading.

Adopted

[State Disability Insurance]

Resolution authorizing enrollment of Classifications 7251 Track Maintenance Worker Supervisor 1, and 7283 Track Maintenance Superintendent, Municipal Railway in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-10, Resolution No. 674-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classification 1835 Administrative Assistant to members of the Board of Supervisors in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-11, Resolution No. 675-91

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classifications 3566 Executive Secretary, Museums and 8104 Victim Witness Technician in the State Disability Insurance Program. (Employee Relations Division)

File 89-91-12, Resolution No. 676-91

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

REGULAR CALENDAR

Monday, July 29, 1991

UNFINISHED BUSINESS

Reconsideration by the Board

From the Clerk

Ordinance Reaffirmed

[Rent Ordinance]

Ordinance 210-91, amending Administrative Code, by amending Sections 37.3, 37.7, 37.8, 37.10A and 37.11A thereto, to establish limitations on initial rents for rental units, create a procedure for verification of initial rents, provide for arbitration of initial rents, expand factors to be considered by hearing officers, create a new criminal penalty and enlarge the scope of civil actions (vacancy control). (Supervisors Ward, Alioto, Migden, Achtenberg, Shelley)

File 109-91-2, Ordinance No. 210-91

- (June 3, 1991 - Finally passed.
- June 10, 1991 - Approved by the Mayor.
- July 9, 1991 - Protest petition filed.
- July 19, 1991 - Registrar of Voter certified signatures on petitions are sufficient.)

(Charter Section 9.108 provides that unless, after the ordinance has been reconsidered, it is repealed in its entirety, the Board shall submit the ordinance to the vote of the electors at the next general election or at a special election called for that purpose. A motion to reaffirm the ordinance would be appropriate.)

Supervisor Hallinan, seconded by Supervisor Britt, moved to reaffirm Ordinance 210-91.

Motion to reaffirm adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

Tabled

[Repeal of Limitations on Initial Rents]

Ordinance amending Administrative Code by deleting amendments to Sections 37.3, 37.7, 37.8, 37.10A and 37.11A thereto under Ordinance No. 210-91 establishing limitations on initial rents pursuant to the Residential Rent Stabilization and Arbitration Ordinance.

File 109-91-2.1, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved to table.

Monday, July 29, 1991

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

Adopted

[Referendum Submission]

Motion ordering submitted ordinance establishing limitations on initial rents for rental units, creating a procedure for verification of initial rents, providing for arbitration of initial rents, expanding factors to be considered by hearing officers, creating a new criminal penalty and enlarging the scope of civil actions, for approval or disapproval at the General Election to be held on November 5, 1991.

File 60-91-1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Reconsideration by the Board

From the Clerk

Ordinance Reaffirmed

[Zoning Changes]

Ordinance 230-91 adopting changes in property use classification as an amendment to the Zoning Map of the City and county of San Francisco of property located at 11 Phelan Avenue, northwest corner at Ocean Avenue, a portion of Lot 1, Assessor's Block 3180 from a P (Public Use) District to an NC-2 (Small-Scale Neighborhood Commercial) District).

File 115-91-6, Ordinance No. 230-91

(June 10, 1991 - Finally passed.

June 12, 1991 - Approved by the Mayor.

July 12, 1991 - Protest petition filed.

July 24, 1991 - Registrar of Voters certified signatures on petitions are sufficient.)

(Charter Section 9.108 provides that unless, after the ordinance has been reconsidered, it is repealed in its entirety, the Board shall submit the ordinance to the vote of the electors at the next general election or at a special election called for that purpose. A motion to reaffirm the ordinance would be appropriate.)

Monday, July 29, 1991

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to reaffirm Ordinance 230-91.

Motion to reaffirm adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisors Britt, Hsieh, Maher - 3.

Tabled

[Repeal of Phelan Loop Housing Zoning Map Amendment]
Ordinance repealing Ordinance No. 230-91, the Phelan Housing Zoning Map Amendment, adopting changes in property use classification of property located at 11 Phelan Avenue.

File 115-91-6.2, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Alioto, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 9.

Noes: Supervisors Britt, Maher - 2.

Adopted

[Referendum Submission]
Motion ordering submitted Ordinance No. 230-91 for approval or disapproval at the Municipal Election to be held on November 5, 1991.

File 60-91-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Recommendations of Finance Committee

Consideration Continued

[Annual Budget]
Annual Budget for the City and County of San Francisco for Fiscal Year 1991-92.

File 100-91-1

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Supervisor Achtenberg, seconded by Supervisor Shelley, moved to amend by establishing \$1.5 million reserve for various programs.

Supervisor Alioto, seconded by Supervisor Migden, moved substitute amendment to establish reserves as follows:

Mount Zion Hospital Crisis Clinic	\$300,000
Chronic Fatigue Syndrome	24,000
Mission Neighborhood Health Services	12,000
Children's Hospital	140,000
Team II Clinic	<u>24,000</u>
Total	<u>\$482,000</u>

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Migden, Shelley - 5.

Noes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 6.

Supervisor Migden, seconded by Supervisor Achtenberg, moved to amend the pending amendment to include \$500,000 reserves for youth component (peer assistance program and multi-media campaign in the area of prevention).

No objection and motion carried.

The roll was called on the pending amendment, as amended, and it was refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Migden, Shelley - 5.

Noes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Ward - 5.

Absent: Supervisor Maher - 1.

Thereupon, the roll was called on adoption of the Annual Budget and it was refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 6.

Noes: Supervisors Alioto, Britt, Hsieh, Maher, Migden - 5.

Supervisor Kennedy, seconded by Supervisor Gonzalez, moved to rescind the previous vote:

Motion to rescind adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

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In response to Supervisor Hallinan's inquiry whether the Board is obligated to vote in favor of the budget now that the budget is balanced and all amendments have been made and either accepted or rejected, Deputy City Attorney Ted Lakey stated, "If there are no other amendments on the floor, that is correct."

In response to Supervisor Hallinan's inquiry, Mr. Lakey indicated the last regular Board meeting date for second reading of the enabling legislation would be August 19, 1991, therefore the budget should be adopted by August 12, 1991.

Supervisor Kennedy, seconded by Supervisor Britt, moved to continue consideration to August 5, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Gonzalez - 1.

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to rescind the previous vote:

No objection and motion carried.

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to August 5, 1991 and to adjourn the meeting.

After a period of discussion, there being no objection, Supervisor Maher withdrew his motion.

[Annual Appropriation Ordinance]

Annual Appropriation Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1992.

File 101-91-2, Ordinance No.

Consideration continued to recessed meeting of July 31, 1991.

[Annual Salary Ordinance]

Annual Salary Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

Monday, July 29, 1991

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the Annual Budget and Appropriation Ordinance for fiscal year ending June 30, 1992, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-91-2, Ordinance No.

Consideration continued to recessed meeting of July 31, 1991.

Finally Passed

[Grant Application]

Ordinance amending Administrative Code, which establishes the procedures used by the Board of Supervisors in considering and approving applications for grants by city officers, employees, boards or commissions, by requiring that all resolutions authorizing applications for grants be accompanied by a completed "Disability Access Checklist for Grant Applicants". (Supervisors Migden, Alioto, Gonzalez, Hallinan, Shelley, Achtenberg, Ward)

File 97-91-16.2, Ordinance No. 301-91

(Amends Section 10.170.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as Amended

[Disability Access Checklist]

Resolution approving a "Disability Access Checklist for Grant Applications" to be completed by city officers, employees, boards or commissions seeking the approval of grant applications by the Board of Supervisors, as required by ((ordinance of the City and County)) Administrative Code Section 10.170: companion measure to File 97-91-16.2. (Supervisors Migden, Gonzalez, Shelley, Hallinan, Alioto)

File 97-91-16.3, Resolution No. 678-91

Supervisor Migden, seconded by Supervisor Gonzalez, moved an amendment of the whole entitled, "Resolution approving a "Disability Access Checklist for Grant Applications" to be completed by city officers, employees, boards or commissions seeking the approval of grant applications by the Board of Supervisors, as required by Administrative Code Section 10.170."

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Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Finally Passed

[Residential Parking Permit Fees]
Ordinance amending Traffic Code, to increase from \$100 per year (or \$75 if purchased in the last six months of any year) to \$225 per year (or \$175 if purchased in the last six months of any year) the fee for issuance of annual non-transferable parking permits for contractors; to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue educational institution parking permits and to increase the fee for issuance of said permits from \$11-13 to \$21; to increase the annual fee for issuance and renewal of residential parking permits from \$13 to \$21 and the six month fee from \$6.50 to \$10.50, for permit renewal; and from \$16 to \$21 for permits in a new area and the 6 month fee in the new area \$8 to \$10.50; to increase the fee for visitor's permits from \$2 to \$5 per two week period; to increase from \$1 to \$5 the fee for a rental car permit; to increase from \$1 to \$3 the transfer charge and to increase the amount from specified permit fees that is to be deposited to the Road Fund. (Department of Parking and Traffic)

File 124-91-4, Ordinance No. 300-91

(Amends Sections 202.C, 308.3, 314.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Noes: Supervisor Migden - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

From Finance Committee Without Recommendation

Consideration Continued

[Government Funding]
Ordinance appropriating \$482,828 for other contractual services, Recreation and Park, for fiscal year 1990-91; providing for

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ratification of action previously taken; placing \$482,828 on reserve.
(Controller)

File 101-90-99, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to continue consideration to August 12, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Lease Amendment]

Ordinance approving Third Amendment to Stadium lease between City and County acting through the Recreation and Park Commission and the San Francisco Giants; companion measure to File 101-90-99.
(Recreation and Park Commission)

File 65-91-3, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to August 12, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Settlement of Unlitigated Claim in Favor of City]

Resolution approving settlement agreement (Giants), including an unlitigated claim in the amount of \$292,000 in favor of the City and County. (Recreation and Park Commission)

File 49-91-1, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to August 12, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

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[Candlestick Park - Parking Lot Agreement]

Resolution approving agreement between San Francisco Giants and the City and County acting by and through the Recreation and Park Commission for operation of the parking lot at Candlestick Park for baseball events. (Recreation and Park Commission)

File 63-91-1, Resolution No.

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved to continue consideration to August 12, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Finally Passed

[Parking Tax Surcharge]

Ordinance increasing the parking tax surcharge from five percentum to ten percentum effective August 1, 1991; amending Part III, Municipal Code by repealing Section 602.5-1; setting effective date. (Mayor)

File 127-91-8, Ordinance No. 305-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 7.

Noes: Supervisors Britt, Hsieh, Maher, Migden - 4.

From Administration and Oversight Committee
Without Recommendation

Amended; Tabled As Amended

(See Journal of Proceedings of July 31, 1991
for further action.)

[Ballot Measure]

Charter amendment ((First)) Second Draft) adding Section ((8.517-1)) 8.517-2 relating to early service retirement. (Supervisor Shelley)

File 239-91-1

Supervisor Shelley, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "Charter amendment (Second Draft) adding Section 8.517-2 relating to early service retirement."

After a period of discussion, Supervisor Migden, seconded by Supervisors Shelley and Achtenberg, moved the previous question.

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The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

The roll was called on the pending motion to amend and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Hsieh, Kennedy, Maher - 4.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to amend to include the following language: "Except for positions designated as officers by Charter Section 1.103 hereof, positions determined by the Mayor to be vital to the delivery of public safety, health and transit services and positions required by court mandate or consent decree, 750 positions vacated as a result of early service retirement shall be eliminated from the fiscal year 1992-93 budget and salary ordinance and thereafter any such position shall only be restored by a vote of two-thirds of the Board of Supervisors."

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to further amend the amendment to read: "Except for positions designated as officers by Charter Section 1.103 hereof, positions determined by the Mayor to be vital to the delivery of public safety, health and transit services and positions required by court mandate or consent decree, fifty percent (50%) or 750 positions vacated as a result of early service retirement shall be eliminated from the fiscal year 1992-93 budget and salary ordinance and thereafter any such position shall only be restored by a vote of two-thirds of the Board of Supervisors."

Supervisor Shelley, seconded by Supervisor Maher, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

From City Services Committee Without Recommendation

Refused Passage for Second Reading

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[Telephone Signaling Devices - Minors]

Ordinance amending the Police Code to prohibit the sale and possession of telephone signaling devices by minors. (Supervisor Gonzalez)

File 121-91-2, Ordinance No.

(Adds Section 558.)

Refused passage for second reading by the following vote:

Ayes: Supervisors Gonzalez, Hsieh, Kennedy, Maher, Shelley - 5.

Noes: Supervisors Achtenberg, Alioto, Britt, Hallinan, Migden, Ward - 6.

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Grant - State Funds]

Resolution authorizing Department of Public Health, Community Public Health Services, Family Health Services, to accept and expend a grant of \$495,743 which includes indirect costs of \$23,843 based on 10% of salaries and wages allowed by the funder, from State Department of Health Services, Maternal Child Health Branch, for perinatal and related services, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-32.1, Resolution No. 679-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Community Public Health Services, Family Health Bureau, to accept and expend a grant of \$1,334,558, which includes indirect costs of \$93,754, based on 10% of personnel costs excluding fringe benefits, from State Department of Health Services, for WIC services, and to authorize expenditure of grant funds to establish and finance Civil Service positions for provision of these services; placing \$5,000 on reserve. (Department of Public Health)

File 146-91-52.1, Resolution No. 680-91

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for a grant of \$800,000 which includes indirect costs of \$20,365, based on 20% of salaries from Centers for Disease Control for Family Planning and HIV Services for Women, and to authorize expenditure of grant funds to establish and finance civil service positions for provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-58, Resolution No. 681-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Grant - Federal Funds]

Resolution authorizing Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for a grant of \$499,980 which includes indirect costs of \$7,291, based on 20% of salaries, from Centers for Disease Control for Family Planning and HIV Services for Women, and to authorize expenditure of grant funds to establish and finance civil service positions for provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-59, Resolution No. 682-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

[Grant - State Funds]

Resolution authorizing Department of Social Services to accept, expend and administer \$511,338 of State funds, which include indirect costs of \$12,783 based on 2 1/2% of the total award, allocated through AB 1733 by State of California for Fiscal Years 1991-92 and 1992-93, and 1993-94 and authorizing Department of

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Social Services to execute an agreement with the State Department of Social Services for the purpose of funding child abuse and neglect prevention and intervention services. (Department of Social Services)

File 153-91-5, Resolution No. 683-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

Recommendation of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Adult Day Health Care Planning Council, for the three-year term ending September 30, 1993. (Administration and Oversight Committee)

File 92-90-25.2, Resolution No. 677-91

(Joseph Mignola, Jr., age group, vice Inez McLaren, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Ward - 1.

The President reassumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Al Gray;
Keith McHenry;
Ms. So;
Dehnert Queen;
Mark Solomon;
Jane Hannigan;
Harvey Wright;
Buzz Carpenter.

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FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference

Supervisor Alioto requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[SB 855 Revenue Priorities]

Resolution outlining the priorities of the Board of Supervisors for SB 855 money for health programs and urging the Mayor to submit a supplement request for funding consistent with these priorities upon certification of the money by the Controller. (Supervisors Achtenberg, Ward, Shelley, Hallinan, Gonzalez, Kennedy)

File 100-91-6, Resolution No. 691-91

(July 24, 1991 - Introduced in Board for consideration on July 29, 1991.)

Supervisor Alioto, seconded by Supervisor Hallinan, moved to amend page three, lines 19 through 21, by deleting "consistent with the funding request from the Board of Directors of the Mt. Zion Center" and inserting "for 24 hours a day, seven days per week".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Migden, Shelley - 8.

Noes: Supervisors Kennedy, Maher, Ward - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

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For Adoption Without Committee Reference

Adopted

[State Legislation]

Resolution urging support of AB 23X repealing sales tax on free newspapers. (Supervisors Shelley, Alioto, Achtenberg, Maher, Migden, Hsieh, Ward, Gonzalez, Hallinan, Kennedy, Britt)

File 12-91-39, Resolution No. 686-91

(July 22, 1991 - Introduced in Board for consideration on July 29, 1991.)

Adopted.

[Condominium Project]

Motion approving final map of 2217 Pacific Avenue, a condominium project, being a resubdivision of Lot 23 in Assessor's Block 589; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-21

(July 15, 1991 - Introduced in Board for consideration on July 29, 1991.)

Adopted.

[Condominium Project]

Motion approving final map of 1859 Vallejo Street, a condominium project, being a resubdivision of Lot 20 in Assessor's Block 568; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-22

(July 15, 1991 - Introduced in Board for consideration on July 29, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

IMMEDIATE ADOPTION CALENDAR

Monday, July 29, 1991

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-30, Resolution No. 671-91

(Raymond Baxter, Director of Health July 27 - August 11; Sonia Bolanos, member, Redevelopment Agency, July 15 - 22; Edward Chow, member, Health Commission, August 7 - 15; August Coppola, member, Film and Video Arts Commission, July 15 - 21; Kenneth Dowlin, City Librarian, August 24 - 27; Frankie Gillette, member, Human Rights Commission, July 29 - August 6; Vivian Hallinan, member, Human Rights Commission, July 17 - 24; Anne Halsted, member, Port Commission, July 17 - 19; James Jefferson, President, Fire Commission, August 5 - 18; John Kriken, member, Arts Commission, July 23 - 28; Harry Parker, III, Director, Fine Arts Museums, August 2 - 20; Pius Lee, member, Police Commission, July 28 - August 13; Peter Sammon, member, Human Rights Commission, July 24 - August 13; Thelma Shelley, Managing Director, War Memorial, August 9 - 14; L.A. Turpen, Director of Airports, July 18 - 24 and August 9 - 18, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the Calendar.)

Adopted

[Mental Health Clients]

Resolution paying tribute to the Mental Health Clients of San Francisco and designating the week of August 5 through 11, 1991, Salute to Mental Health Clients Week in the City and County of San Francisco.

File 4-91-19, Resolution No. 672-91

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 10.

Absent: Supervisor Maher - 1.

Recess

At the request of President Ward, the Board recessed at the hour of 3:40 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representatives regarding salaries and fringe benefits for City employees.

Reconvening of the Board

The Board, at the hour of 4:31 p.m., reconvened.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Places of Entertainment and Cabarets]

Ordinance amending Police Code by amending Sections 1060.5 and 1060.20, relating to standards and deadlines for granting or suspension of place of entertainment permits and amending Sections 1070.5 and 1070.17 relating to standards and deadlines for granting or suspension of cabaret permits. (Supervisor Kennedy presented.) Referred to City Services Committee.

File 121-91-4

[Parking Tax Surcharge]

Draft ordinance amending the Parking Tax surcharge from five percentum to ten percentum by changing the effective date from August 1, 1991 to September 1, 1991. (Supervisor Gonzalez presented.) Referred to Finance Committee.

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File 127-91-8.1

Referred to Board

[Federal Legislation]

Resolution supporting Federal legislation that would enact the Shipbuilding and Repair Industry Free Trade Act of 1991 and urging members of the San Francisco Federal and California delegations to support H.R. 2709. (Supervisor Gonzalez presented.) Referred to Board August 5, 1991 For Adoption Without Committee Reference Calendar.

File 13-91-21

Requests for Hearings:

File 60-91-3, By Supervisors Migden and Alioto: To consider the selection of new voting booths and voting procedures by the Registrar of Voters. Referred to City Services Committee.

File 93-91-3, By Supervisor Shelley: To consider the memorandum of understanding between Service Employees International Union Locals 250, 535 and 790. Referred to Administration and Oversight Committee.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 101-91-5. [Government Funding] Appropriating \$66,000, Sheriff Department, for professional services - Prop J/CSC. (Controller). Finance.

Resolutions Referred to Committee

File 40-91-5.1. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic). Economic and Social Policy.

File 64-91-23. [Lease of Property] Authorizing extension of an existing lease of vacant land at Army and Evans Streets for the Department of Public Works. (Real Estate Department). Finance.

File 64-91-24. [Lease of Property] Authorizing lease of vacant land at the southeast corner of Bryant and Division Streets, for use by Municipal Railway, for storing trolley poles. (Real Estate Department). Finance.

File 89-91-13. [State Disability Insurance] Authorizing enrollment of Classification 0591 Superior Court Clerk in the State Disability Insurance Program. (Employee Relations Division). Administration and Oversight.

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File 138-91-6. [State Board of Control] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$230,850 made available through the State of California for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center", for fiscal year 1991-92. (Mayor). Finance.

File 138-91-7. [Grant - State Funds] Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$286,991 available through the Office of the Criminal Justice Planning for a project entitled "Victim Witness Assistance Center", for the twelve month period July 1, 1991 through June 30, 1992. (Mayor). Finance.

File 147-91-7. [Grant - Federal Funds] Authorizing the San Francisco Public Library to apply for, accept and expend funds not to exceed \$10,000 available through California State Library from the Library Services and Construction Act for the development of Grandparents and Books Programmes in public libraries for fiscal year 1990-91. (Public Library). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter of inquiry be sent to General Manager, Social Services Department, to determine the breakdown of the staff, within the department that are in decision-making positions, by ethnic group.

By Supervisor Gonzalez, that letter be sent to Chief of Police inquiring whether the department can investigate alleged drug-trafficking in the vicinity of 24th Street at Treat, Alabama and Florida Streets.

By Supervisor Gonzalez, that letter be sent to Chief of Police inquiring whether the department can investigate alleged high incidents of vehicle break-ins in the vicinity of Lundys Lane, Prospect Avenue and Esmeralda Avenue and what action can be done to remedy the problem.

By Supervisor Gonzalez, that letter be sent to Director of Health inquiring whether the department can conduct an investigation and address the grievance submitted by Union Local 790 against the CAL-OSHA investigation regarding potential health hazards in the Communications Room and the Hall of Justice.

By Supervisor Gonzalez, that letters of inquiry be sent to the Presiding Judges of the Municipal and Superior Courts requesting information concerning criminal conflict cases during fiscal years 1989-90 and 1990-91, be submitted by August 2, 1991, as follows:

Municipal Court: What was the total number of "misdemeanor" criminal conflicts; what was the total number of felony criminal conflicts; out of the total number of felony criminal conflicts, how many were "regular felonies"; what was the average cost per case for regular felonies?

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Superior Court, Adult Division: Out of the total number of felony cases in Superior Court, how many were "regular felonies; what was the average cost per case for regular felonies?

Superior Court, Juvenile Division: What was the total number of delinquency criminal conflict cases; what was the number of dependency cases; what was the total number of criminal conflict misdemeanor; what was the total number of criminal conflict felonies; what was the total number of criminal conflict "regular felonies"; what was the average cost per case and indicate whether costs of investigation and expert witness testimony was included, and if not, what were the additional costs per case?

By Supervisor Hallinan, that executive session with the Presiding Judge of the Superior Court be held on August 12, 1991 concerning the budget for fiscal year 1991-92.

Recess

Supervisor Gonzalez, seconded by Supervisor Hallinan, moved that the Board recess to reconvene at 9:30 p.m.

Motion to recess adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Shelley - 6.

Noes: Supervisors Britt, Hsieh, Maher, Migden - 4.

Absent: Supervisor Ward - 1.

The Board, at the hour of 8:30 p.m. recessed.

Reconvening of the Board

The Board, at the hour of 10:58 p.m., reconvened.

The President reassumed the Chair.

Motion to Recess

Supervisor Gonzalez, seconded by Supervisor Migden, moved that the Board recess its meeting to reconvene on Wednesday, July 31, 1991, at 3:00 p.m.

Motion to recess adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Monday, July 29, 1991

RECESS

The Board, at the hour of 11:32 p.m., recessed its meeting to reconvene on Wednesday, July 31, 1991.

John L. Taylor, Clerk

Wednesday, July 31, 1991

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Wednesday, July 31, 1991 - 3:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in recessed session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 3:30 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Quorum present.

Recommendations of Finance Committee

Adopted as Amended

[Annual Budget]

Annual Budget for the City and County of San Francisco for Fiscal Year 1991-92.

File 100-91-1

Supervisor Achtenberg, seconded by Supervisor Maher, moved to amend the budget to set aside funds for the AIDS Office in the amount of \$152,500 from general fund reserves, of which \$52,500 is used for the creation of a new position of health educator and \$100,000 to implement a HIV-education youth program.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

Supervisor Migden, seconded by Supervisor Alioto, moved to amend the budget by establishing the following reserves:

\$186,000	Youth AIDS prevention services
250,000	Mt. Zion Crisis Clinic (24 hours/7 days a week)
20,000	Chronic Fatigue Syndrome Foundation
12,000	Mission Neighborhood Health Center
<u>\$468,000</u>	Total

Wednesday, July 31, 1991

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Migden, Shelley - 5.

Noes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 6.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisors Alioto, Britt, Migden - 3.

Passed for Second Reading as Amended

[Annual Appropriation Ordinance]

Annual Appropriation Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1992.

File 101-91-2, Ordinance No.

Supervisor Maher, seconded by Supervisor Hallinan, moved to amend to conform the Annual Appropriation Ordinance to the Annual Budget, as amended.

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisors Alioto, Britt, Migden - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisors Alioto, Britt, Migden - 3.

Passed for Second Reading

[Annual Salary Ordinance]

Annual Salary Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the Annual Budget and Appropriation Ordinance for fiscal year ending June 30, 1992, continuing, creating

Wednesday, July 31, 1991

or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-91-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisors Alioto, Britt, Migden - 3.

Adopted

[Government Funding]

Motion authorizing the Controller to adjust interdepartmental appropriations, make necessary transfers to correct objects of expenditure classifications and to correct clerical or computational errors as may be ascertained by the Controller to exist in the 1991-92 Annual Budget as adopted by the Board of Supervisors and directing the Clerk of the Board to notify the Controller.

File 101-91-2.1

The Clerk announced that it is customary for the Board to adopt a motion instructing the Controller and authorizing him to make necessary adjustments and transfers of funds.

Thereupon, Supervisor Kennedy, seconded by Supervisor Gonzalez, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$1,656,000, Board of Education, for program project budgets (after school sports and music programs) for fiscal year 1991-92. (Supervisors Hallinan, Gonzalez)

File 101-91-4, Ordinance No.

Passed for Second Reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Wednesday, July 31, 1991

Absent: Supervisor Britt - 1.

Consideration Resumed; Amended;
Ordered Submitted as Amended

Charter amendment (((Second)) Fourth Draft) adding Section 8.517-1 relating to early service retirement. (Supervisor Shelley)

File 239-91-1

(July 29, 1991 - Tabled, as amended (Second Draft).)

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to take above charter amendment from the table.

Motion to take from the table adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Supervisor Hsieh, seconded by Supervisor Hallinan, moved an amendment of the whole bearing same title (Third Draft).

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Noes: Supervisors Britt, Migden - 2.

On advice of the City Attorney, Supervisor Hsieh, seconded by Supervisor Kennedy, moved to amend page three, last paragraph, line four, by inserting "be" before "effective".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 11.

In response to Supervisor Hsieh's inquiry whether the police and fire unions have the ability to enter into agreement with the City relating to early retirement program other than submitting a new charter amendment, Deputy City Attorney Ted Lakey stated, under Proposition D (November, 1990), "no".

In further response to Supervisor Hsieh, Mr. Lakey stated, in order for police and fire unions to accomplish their goals they would have to have a charter amendment that would provide for an early retirement program. They can negotiate with the City on the drafting of the charter amendment. It can only be accomplished by charter amendment.

Wednesday, July 31, 1991

In response to Supervisor Alioto, Mr. Lakey stated the Board can amend the text of this charter amendment to provide language different than what is in Proposition D or the charter.

Supervisor Alioto, seconded by Supervisor Britt, moved to amend to authorize negotiations with the police and fire unions concerning an early retirement program.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Alioto, Britt, Migden - 3.

Noes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

After a period of discussion, the roll was called on the question of submission and it was ordered submitted, as amended (Fourth Draft), by the following vote:

Absent: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisors Alioto, Britt, Migden - 3.

Request Granted

By Supervisors Hsieh, Alioto and Shelley, that letter be sent to his Honor, the Mayor, urging him and the City Attorney to enter into earnest negotiations with the firefighters and police officers on an early service retirement program at the earliest possible date.

No objection and Clerk directed to comply.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Board

[Commendation]

Resolution commending and honoring Morris Bernstein for three decades of distinguished service as Commissioner for the City and County of San Francisco. (Supervisor Maher presented.) Referred to Board August 5, 1991 For Adoption Without Committee Reference Calendar.

File 4-91-11, Resolution No.

Wednesday, July 31, 1991

Requests Granted

By Supervisor Migden, that City Attorney prepare appropriate ordinance which would require sellers of condoms to post warning signs which state that latex condoms are more effective in preventing the passage of the AIDS virus than are membrane (lambskin) condoms.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Scott Lago (Supervisor Britt)
Julius Zamacona (Supervisors Gonzalez, Hallinan)
Mary Meridith (Supervisor Ward)

File 2-91-30

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:46 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Wednesday, July 31, 1991

April 13, 1992

Approved by the Board of Supervisors on _____

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

5/91

Vol. 86

No. 31

Monday, August 5, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 5, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Ward - 7.

Noted absent at first roll call:

Supervisors Alioto, Maher, Migden, Shelley - 4.

Quorum present.

Supervisor Alioto was noted present at 2:10 p.m.

Supervisor Maher was noted present at 2:13 p.m.

Supervisor Migden was noted present at 2:13 p.m.

Supervisor Shelley was noted present at 2:07 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Hsieh, moved that the Journal of Proceedings for Tuesday, November 13, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Maher, Migden - 4.

CONSENT CALENDAR

Monday, August 5, 1991

Recommendations of Finance Committee

Passed for Second Reading

[Parking Lot Lease Documents]

Ordinance approving and adopting Polk-McAllister Parking Lot legal documents and authorization to lease. (Real Estate Department)

File 47-91-11, Ordinance No.

Passed for second reading.

Adopted

[Contract]

Resolution approving the contract between the City and County, Department of Public Health, and Allied Information and Services Corp., to provide ambulance billing and collections service. (Department of Public Health)

File 30-91-15, Resolution No. 694-91

Adopted.

[Contract]

Resolution approving the contract between the City and County, Department of Public Health, and Health Management Systems, Inc., to provide retroactive claims reprocessing service. (Department of Public Health)

File 30-91-16, Resolution No. 695-91

Adopted.

[Lease of Property]

Resolution authorizing the extension of an existing lease of real property at 25 Van Ness Avenue, Suites 410, 880 and 888, for the Department of Parking and Traffic for office space. (Real Estate Department)

File 64-91-22, Resolution No. 699-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Art Commission to apply for, accept and expend \$54,270 of California Arts Council funds to provide operational support for the Art Commission's State-Local Partnership

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Program; to support the logistical and clerical tasks required to complete the arts policy plan for the City; to support artists honoraria and exhibition programs of the Art Commission Gallery; and to support Arthouse, an information and referral program for artists seeking live/work space; and further authorizing indirect costs to be waived. (Art Commission)

File 132-91-7, Resolution No. 701-91

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Communicable Disease, STD Control, to accept and expend an augmentation grant of \$17,052, which includes indirect costs of \$2,320, based on 20 percent of personnel costs, from the Centers for Disease Control for the provision of STD services, and to authorize the expenditure of grant funds to establish and finance civil service positions for the provision of these services. (Department of Public Health)

File 146-91-60, Resolution No. 702-91

Adopted.

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Escapade, Inc. against the City and County by payment of \$47,000. (City Attorney)

File 45-91-39, Ordinance No. 307-91

(Superior Court No. 904-358.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Louisa Hendrix against the City and County by payment of \$387,500. (City Attorney)

File 45-91-40, Ordinance No. 308-91

(Superior Court No. 883-674.)

Finally passed.

Monday, August 5, 1991

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Sonni M. Glasner against the City and County by payment of \$15,000. (City Attorney)

File 45-91-41, Ordinance No. 309-91

(Superior Court No. 874-151.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Maher, Migden - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

[Annual Appropriation Ordinance]

Annual Appropriation Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1992.

File 101-91-2, Ordinance No. 303-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisors Alioto, Migden - 2.

Absent: Supervisor Britt - 1.

[Annual Salary Ordinance]

Annual Salary Ordinance for the City and County of San Francisco for Fiscal Year 1991-92.

An ordinance enumerating all positions continued or created by the Board of Supervisors in adopting the Annual Budget and Appropriation Ordinance for fiscal year ending June 30, 1992, continuing, creating

Monday, August 5, 1991

or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments, thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensation therefor.

File 102-91-2, Ordinance No. 304-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisors Alioto, Migden - 2.

Absent: Supervisor Britt - 1.

[Government Funding]

Ordinance appropriating \$1,656,000, Board of Education, for program project budgets (after school sports and music programs) for Fiscal Year 1991-92. (Supervisors Hallinan, Gonzalez)

File 101-91-4, Ordinance No. 310-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Maher, Migden - 4.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$392,899, Commission on the Aging, for permanent salaries, related mandatory fringe benefits, contractual services, materials and supplies, data/word processing equipment and services of other departments - Reproduction; rescinding \$174,122 from other contractual services, transferring eight positions from Public Health to Commission on the Aging for fiscal year 1991-92; placing \$6,800 on reserve; companion measure to File 102-91-3. (Controller)

File 101-91-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Maher, Migden - 4.

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COMMITTEE REPORT

Recommendation of Finance Committee

Passed for Second Reading

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92 Commission on Aging, reflecting the addition of eight positions Classification 1426 Senior Clerk Typist(1), 2587 Health Worker III(5), 2588 Health Worker IV(1), and 2593 Health Program Coordinator III(1); companion measure to File 101-91-3. (Civil Service Commission)

File 102-91-3, Ordinance No.

Supervisor Gonzalez presented as recommendation of Finance Committee.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Maher, Migden - 4.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Project Lease]

Ordinance approving and authorizing the execution and delivery of a facilities lease, a property purchase agreement, a purchase and sale assignment, a trust agreement, an assignment agreement and a purchase contract in connection with the City and County Certificates of Participation (25 Van Ness Avenue Project); authorizing the Chief Administrative Officer to fix rents to be charged to public offices and private tenants and to submit budgets for approval; authorizing and ratifying execution of documents reasonably necessary for the issuance, sale and delivery of certificates of participation; and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the project. (Chief Administrative Officer)

File 84-91-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Monday, August 5, 1991

Absent: Supervisor Britt - 1.

Adopted

[Gift Acceptance]

Resolution authorizing the Police Department to accept the gift of a 1984 Ford Club Wagon, valued between \$5,000 and \$7,000 for use by the Senior Escort Program. (Police Department)

File 38-91-7, Resolution No. 696-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Request Granted

In connection with the above subject matter, Supervisor Migden requested letter of appreciation be sent to donor.

No objection and Clerk directed to comply.

[Acceptance of Gift]

Resolution authorizing the Police Department to accept the gift of office furniture, valued at \$75,000, from Pacific Bell, for use at 1 Jones Street; providing for ratification of action previously taken. (Police Department)

File 38-91-8, Resolution No. 697-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Grant - Federal Funds]

Resolution authorizing the Public Utilities Commission to apply for, accept and expend \$1,751,800 of Federal Capital Assistance including the required local contribution from the Clean Air and Transportation Improvement Act of 1990 Funds and/or State Transit Assistance Funds/and or AB 664 Bridge Toll Revenues and/or Regional Measure One Bridge Toll Revenues and/or San Francisco Municipal Railway Improvement Corporation Funds and/or Transportation Sales Tax Revenues to provide financing for the design and rehabilitation

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of the Municipal Railway's fixed-facilities; placing \$1,751,800 on reserve. (Public Utilities Commission)

File 94-91-5, Resolution No. 700-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Recess

The Board, at the hour of 2:32 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:09 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 6.

Noted absent:

Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hsieh - 5.

Quorum present.

Supervisor Achtenberg was excused. (See infra.)

Supervisor Alioto was noted present at 3:12 p.m.

Supervisor Gonzalez was noted present at 3:10 p.m.

Supervisor Hsieh was noted present at 3:10 p.m.

Supervisor Achtenberg Excused

President Ward announced she had excused Supervisor Achtenberg from the remainder of the meeting.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

Monday, August 5, 1991

[Public Hearing]

Hearing of persons interested in or objecting to partial abandonment of services on Municipal Railway Line 30X-Marina Express.

File 7-91-8

(Filed July 17, 1991.)

(Line 30X-Marina Express service at all times on the following route:

Mornings from Howard Street in the vicinity of The Embarcadero via Howard, The Embarcadero, Bay, Columbus, North Point, Van Ness, Lombard, Letterman Drive, Lincoln Boulevard, loop at Anza and Lincoln, Lincoln Boulevard, Letterman Drive and Lombard to Lyon Street; and

Afternoons from Lombard at Lyon via Lombard, Letterman Drive, Lincoln Boulevard, Loop at Anza and Lincoln, Lincoln, Letterman Drive, Lombard, Van Ness, North Point, Columbus, Bay, The Embarcadero, and Howard Street to terminal.)

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the hearing closed.

From Public Utilities Commission

Adopted

(Only one of the following two resolutions should be adopted.)

[Abandonment of Service]

Resolution approving partial abandonment of service on Municipal Railway Line 30X- Marina Express. (Public Utilities Commission)

File 7-91-8, Resolution No. 693-91

Adopted by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Alioto, Britt - 3.

Tabled

[Abandonment of Service]

Resolution disapproving partial abandonment of service on Municipal Railway Line 30X- Marina Express. (Public Utilities Commission)

File 7-91-8.1, Resolution No.

Monday, August 5, 1991

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Alioto, Britt - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of objections to report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

File 41-91-2

The President inquired if there was anyone present who wish to testify.

There being no response, the President declared the hearing closed.

From the Department of Public Works

Adopted as Amended

[Assessment of Costs - Sidewalk and Curb Repairs]

Resolution confirming report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be

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performed at various locations by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a Revolving Fund.

File 41-91-2, Resolution No. 698-91

(466 16th Avenue	\$	258.06
1214 34th Avenue		396.00
((2554 36th Avenue		203.50))
2472 39th Avenue		44.00
1654 42nd Avenue		38.50
1684 42nd Avenue		203.50
((1935 43rd Avenue		324.50))
1355 46th Avenue		506.00
((1314 47th Avenue		396.00))
1894 48th Avenue		940.50
646 Balboa Street		976.14
575 Beach Street		398.31
435-43 Broadway		381.48
2576 Bryant Street		1,622.50
458V Bush Street		600.27
698 Bush Street		370.26
((921 Central Avenue		935.00))
923 Central Avenue		962.50
1112-16 Fell Street		117.81
238-42 Francisco Street		1,065.90
1335 Fulton Street		645.15
1377 Fulton Street		1,767.15
3739-41 Geary Blvd.		269.28
468 Geary Blvd.		168.30
480 Geary Blvd.		122.98
357-59 Guerrero		60.50
829 Leavenworth Street		409.53
1201 Pine Street		813.45
1360-70 Pine Street		145.86
2619-21 Sacramento Street		155.98
701 Scott Street		1,917.08
1173 Vallejo Street ((408.43))		204.22
735-37 Wisconsin Street		1,430.55.)

The representative from the Department of Public Works gave his report and recommended the Report of Assessment Costs be amended.

Thereupon, Supervisor Maher, seconded by Supervisor Kennedy moved to amend the report to delete "2554 36th Avenue" and "921 Central Avenue".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

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Supervisor Hallinan, seconded by Supervisor Maher, moved to amend the report to delete "1935 43rd Avenue".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Supervisor Maher, seconded by Supervisor Kennedy, moved to amend the report to delete "1314 47th Avenue".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend the report concerning "1173 Vallejo Street" by reducing "\$408.43" to "\$204.22" and amend the resolution on page one, lines 13 and 16 by inserting "as amended".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

The roll was then called on the pending resolution and it was adopted as amended by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Britt - 2.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Monday, August 5, 1991

Adopted

[Federal Legislation]

Resolution supporting Federal legislation that would enact the "Shipbuilding and Repair Industry Free Trade Act of 1991", and urging members of the San Francisco Federal and California delegations to support H.R. 2709. (Supervisor Gonzalez)

File 13-91-21, Resolution No. 706-91

(July 29, 1991 - Introduced in Board for consideration on August 5, 1991.)

Adopted.

[Honoring Morris Bernstein for Outstanding Service]

Resolution commending and honoring Morris Bernstein for three decades of distinguished service as commissioner for the City and County of San Francisco. (Supervisors Maher, Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward)

File 6-91-11, Resolution No. 692-91

(July 31, 1991 - Introduced in Board for consideration on August 5, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-31, Resolution No. 690-91

Monday, August 5, 1991

(Roberta Achtenberg, member, Board of Supervisors, August 12-18, 1991.)

Adopted.

[San Francisco Purple Heart Veteran's Day]

Resolution establishing the Second Saturday of August in each year as "San Francisco Purple Heart Veteran's Day." (Supervisor Maher)

File 4-91-20, Resolution No. 687-91

Adopted.

[Initiative Charter Amendment]

Motion ordering submitted to the electorate at the General Municipal Election to be held in the City and County of San Francisco on Tuesday, November 5, 1991, the proposed initiative Charter amendment adding Section 6.415, establishing a Children's Fund to expand children's services to pay for providing additional specified services to children under 18; setting aside revenues from city property tax for said fund; and providing for preparation by the Mayor yearly of a Children's Services Plan proposing expenditures of monies from the Children's Fund and designating city departments which would administer funded programs. (Clerk of the Board)

File 60-91-4

Adopted.

[Initiative Charter Amendment]

Motion ordering submitted to the electorate at the general municipal election to be held in the City and County of San Francisco on Tuesday, November 5, 1991, the proposed initiative Charter amendment adding Section 3.100-3, prohibiting the employment of Deputy Mayors whose duties include the supervision of the administration of departments and providing for a limitation on salaries of Mayor's office employees to no more than seventy percent of the Mayor's compensation. (Clerk of the Board)

File 60-91-5

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

[Street Closing]

Resolution authorizing temporary closing of a portion of Eddy Street, between Steiner and Pierce Streets, including the intersections of Eddy and Steiner Streets and Eddy and Pierce Streets, on Saturday, August 24, 1991, from 6:00 a.m. to 6:00 p.m., for a youth festival.

Monday, August 5, 1991

File 42-91-41, Resolution No. 688-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Agreement, Licensing]

Resolution authorizing the Department of Social Services to enter into a licensing agreement with Hastings College of Law for the temporary use of 277 Golden Gate Avenue as a homeless shelter during construction of the multiservice center located at 1001 Polk Street and indemnifying Hastings College of Law against liability from injury to persons or property arising from the City's use of the property.

File 172-91-9, Resolution No. 689-91

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Trade Shows - Fee Collection]

Resolution urging the Tax Collector to establish rules and regulations for the administration of the transient merchant license fee. (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 166-91-2

[Invitation to Fidel Castro Ruz]

Resolution inviting Fidel Castro Ruz, President of the Republic of Cuba, to address the San Francisco Board of Supervisors in June of 1992. (Supervisor Hallinan presented.) Referred to Economic and Social Policy Committee.

File 240-91-1

Monday, August 5, 1991

[Ballot Argument]

Ballot argument concerning referendum petition relating to vacancy rent control ordinance. (Supervisor Ward presented.) Referred to Administration and Oversight Committee.

File 60-91-1.1

[Ballot Argument]

Ballot argument in favor of the Phelan Loop Senior Housing Rezoning. (Supervisor Ward presented.) Referred to Administration and Oversight Committee.

File 60-91-2.1

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning housing authority police. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 190-91-2

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning civil service exams. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 219-91-2

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning certification of eligibles. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 220-91-2

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning discharge of permanent employees. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 223-91-2

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning appointment of youth to city advisory boards and commissions. (Supervisor Hallinan presented.) Referred to Administration and Oversight Committee.

File 225-91-2

Monday, August 5, 1991

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning military reservists pay. (Supervisor Maher presented.) Referred to Administration and Oversight Committee.

File 228-91-2

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning collective bargaining. (Supervisor Shelley presented.) Referred to Administration and Oversight Committee.

File 229-91-2

[Ballot Argument]

Proponent's argument in favor of charter amendment concerning early service retirement. (Supervisor Hsieh presented.) Referred to Administration and Oversight Committee.

File 239-91-2

Requests for Hearings:

File 60-91-4.1, By Supervisor Ward: To consider submitting ballot argument concerning initiative charter amendment relating to children's fund. Referred to Administration and Oversight Committee.

File 60-91-5.1, By Supervisor Ward: To consider submitting ballot argument concerning initiative charter amendment relating to banning deputy mayors. Referred to Administration and Oversight Committee.

File 60-91-6, By Supervisor Ward: To consider submitting ballot argument concerning policy statement relating to the military budget. Referred to Administration and Oversight Committee.

File 60-91-7, By Supervisor Ward: To consider submitting ballot argument concerning initiative petition relating to repeal of the domestic partners ordinance. Referred to Administration and Oversight Committee.

File 60-91-8, By Supervisor Ward: To consider submitting ballot argument concerning initiative petition relating to first amendment policy. Referred to Administration and Oversight Committee.

File 60-91-9, By Supervisor Ward: To consider submitting ballot argument concerning initiative petition relating to hemp (marijuana) medical preparations policy. Referred to Administration and Oversight Committee.

File 60-91-10, By Supervisor Ward: To consider submitting ballot arguments on ballot propositions which may be submitted for the November 5, 1991 election. Referred to Administration and Oversight Committee.

Monday, August 5, 1991

File 241-91-1, By Supervisor Gonzalez: To consider declaring the 24th Street commercial corridor (from Valencia to Potrero) a drug-free zone that would in effect require that persons arrested for drug dealings receive, if convicted, increased sentences for violating the drug-free zone. Referred to City Services Committee.

Motions

Referred to Board

File 56-91-2 [Television Commercial] Motion suspending Rule 5.2 of the Rules of Order and authorizing Harmony Pictures to film a television commercial in the Legislative Chamber subject to conditions specified by the Chief Administrative Officer, the City Attorney and the President of the Board of Supervisors. (Supervisor Ward presented.) Referred to Board August 12, 1991 For Adoption Without Committee Reference Calendar.

File 165-91-6 [Management Audit - Senior Escort Service] Motion directing the Budget Analyst to prepare a management audit on the quality of service provided by the Senior Escort Service in keeping with the criteria set forth by the City and County. (Supervisor Kennedy presented.) Referred to Board August 12, 1991 For Adoption Without Committee Reference Calendar.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-91-43. [Settlement of Lawsuit] Authorizing settlement of litigation of Mario Gonzalez against the City and County by payment of \$11,000. (City Attorney). Administration and Oversight.

File 45-91-44. [Settlement of Lawsuit] Authorizing settlement of litigation of Oscar Chulo against the City and County by payment of \$11,500. (City Attorney). Administration and Oversight.

File 46-91-9. [Settlement of Lawsuit] Authorizing settlement of litigation of Raymond A. Koenig v. Southern Pacific Transportation Company, et al., upon receipt of the sum of \$12,500 and dismissal of complaint. (City Attorney). Administration and Oversight.

File 46-91-10. [Settlement of Lawsuit] Authorizing settlement of litigation of Martha Rosales v. American Ambuvan Services, Inc., et al., upon receipt of the sum of \$20,000 and dismissal of complaint. (City Attorney). Administration and Oversight.

File 172-91-8. Approving First Amendment to Option Agreement between Redevelopment Agency of the City and County of San Francisco and the City and County of San Francisco, acting by and through the San Francisco Port Commission. (Port Commission). Finance.

Monday, August 5, 1991

Resolutions Referred to Committee

File 10-91-4. [Permit] Granting revocable permission to San Francisco Municipal Railway to occupy a portion of Indiana Street between Tubbs and 22nd Streets for the purpose of incorporating this street into the Woods Maintenance Facility; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works). City Services.

File 30-91-17. [Contract] Approving the contract between the City and County of San Francisco, Department of Public Health, and HHL Financial Services, Inc., to provide uncompensated care recovery services. (Department of Public Health). Finance.

File 52-91-2. [Authorization to Expend Private Funds] Authorize Department of Public Works to accept \$9,800 monetary compensation from property owners for the higher cost of procuring and installing special ornamental streetlight poles in Upper Ashbury Undergrounding District 309, Phase 2B. (Department of Public Works). Finance.

File 89-91-14. [State Disability Insurance] Authorizing enrollment of Classifications 1710 Phonographic Reporter and 0818 MIS Specialist II in the State Disability Insurance Program. (Employee Relations Division). Administration and Oversight.

File 109-91-3. [Rent Stabilization & Arbitration Liens] Confirming report of delinquent charges for Rent and Stabilization fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Tax Collector). Scheduled for Public Hearing before Board on September 3, 1991 at 3:00 p.m.

File 146-91-61. [Grant - State Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a grant of \$2,787,546, which includes indirect costs in the amount of \$82,178 based on 10% of personnel costs, from the California Department of Health Services, to continue funding the Master Grant Agreement Consolidated Funding Program and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

File 146-91-62. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for a grant of \$315,000, which includes indirect costs in the amount of \$27,716 based on 20% of the personnel costs, from Centers for Disease Control for HIV Services and Adolescents at High Risk, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

File 146-91-63. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for a grant of \$315,000, which includes indirect costs in the amount of \$17,753 based on 20% of the personnel costs, from Centers for Disease Control for HIV Services and Adolescents at High Risk, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

Monday, August 5, 1991

File 153-91-6. [Grant - Federal Funds] Authorizing the Department of Social Services to apply for, accept and expend a supplement in the amount of \$60,000 to a continuation grant from the Department of Health and Human Services, Office of Human Development Services; and to expend the originally authorized amount for year 2 in the amount of \$386,946 from the Department of Health and Human Services, Office of Human Development Services. (Department of Social Services). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that City Attorney draft appropriate legislation to declare the 24th Street commercial corridor (from Valencia Street to Potrero Avenue) a drug-free zone that would in effect require that persons arrested for drug dealings receive, if convicted, increased sentences for violating the drug-free zone.

By Supervisor Kennedy, that City Attorney prepare ordinance amending Administrative Code Chapter 12D, Section 12D.11 to include a finding supporting a MBE bid preference for Black-owned medical services providers.

By Supervisor Kennedy, that City Attorney prepare amendments to the rent ordinance as follows: establish a time limit for filing writs of mandamus (court actions challenging Board decision); establish more explicitly a mandatory time period for filing administrative appeals, with provision for extension for good cause; to omit the requirement that the notice of increase must reflect what portion of the increase reflects a "banked" amount.

By Supervisor Ward, that letter of inquiry be sent to Executive Director, Parking and Traffic Department, to determine the feasibility and cost for installing sound devices on traffic lights to alert/warn people when they should or should not walk.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rev. Lewis T. Allen (Supervisor Ward)
Zachary F. Long, Jr. (Supervisor Britt)
David Branford (Supervisor Britt)

File 2-91-31

Unanimously adopted by a rising vote.

Monday, August 5, 1991

ADJOURNMENT

There being no further business, the Board at the hour of 3:26 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 20, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

2/91

Vol. 86

No. 32

Monday, August 12, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 12, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:21 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 9.

Noted absent at first roll call:

Supervisors Achtenberg, Shelley - 2.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Shelley excused. (See infra.)

Supervisor Shelley Excused

The Clerk announced that Supervisor Shelley requested to be excused from attending today's meeting.

Supervisor Hsieh, seconded by Supervisor Maher, moved to excuse Supervisor Shelley from attendance at today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

APPROVAL OF JOURNAL

Monday, August 12, 1991

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, November 19, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Presentation of Guest

Supervisor Gonzalez introduced and welcomed the Honorable Virgilio Goday, Vice President, Republic of Nicaragua and Honorable Adan Fletes, Consul General.

Suspension of the Rules

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mr. Goday.

No objection, and motion carried.

On behalf of the people of Nicaragua, Vice President Goday expressed gratitude to the citizens of San Francisco for their generous contributions and support for his country.

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]
Ordinance appropriating \$392,899, Commission on the Aging, for permanent salaries, related mandatory fringe benefits, contractual services, materials and supplies, data/word processing equipment and services of other departments - Reproduction; rescinding \$174,122 from other contractual services, transferring eight positions from Public Health to Commission on the Aging for fiscal year 1991-92; placing \$6,800 on reserve. (Controller)

File 101-91-3, Ordinance No. 312-91

Finally passed.

Monday, August 12, 1991

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1991-92 Commission on Aging, reflecting the addition of eight positions Classification 1426 Senior Clerk Typist(1), 2587 Health Worker III(5), 2588 Health Worker IV(1), and 2593 Health Program Coordinator III(1); companion measure to File 101-91-3. (Civil Service Commission)

File 102-91-3, Ordinance No. 313-91

Finally passed.

[Parking Lot Lease Documents]

Ordinance approving and adopting Polk-McAllister Parking Lot legal documents and authorization to lease. (Real Estate Department)

File 47-91-11, Ordinance No. 311-91

Finally passed.

[Project Lease]

Ordinance approving and authorizing the execution and delivery of a facilities lease, a property purchase agreement, a purchase and sale assignment, a trust agreement, an assignment agreement and a purchase contract in connection with the City and County Certificates of Participation (25 Van Ness Avenue Project); authorizing the Chief Administrative Officer to fix rents to be charged to public offices and private tenants and to submit budgets for approval; authorizing and ratifying execution of documents reasonably necessary for the issuance, sale and delivery of Certificates of Participation; and adopting findings pursuant to City Planning Code Section 101.1, all in connection with the project. (Chief Administrative Officer)

File 84-91-1, Ordinance No. 306-91

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, August 12, 1991

From Finance Committee Without Recommendation

Consideration Continued As Amended

[Government Funding]

Ordinance appropriating \$482,828 for other contractual services, Recreation and Park, for fiscal year ((1990-91)) 1991-92; providing for ratification of action previously taken; placing \$482,828 on reserve. (Controller)

File 101-90-99, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Migden, moved an amendment of the whole entitled, "Ordinance appropriating \$482,828, Recreation and Park, for other contractual services for fiscal year 1991-92; providing for ratification of action previously taken; placing \$482,828 on reserve."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to August 26, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Consideration Continued

[Lease Amendment]

Ordinance approving Third Amendment to Stadium lease between City and County acting through the Recreation and Park Commission and the San Francisco Giants; companion measure to File 101-90-99. (Recreation and Park Commission)

File 65-91-3, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to August 26, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Monday, August 12, 1991

Request Granted

At the request of Supervisor Gonzalez, Budget Analyst requested to investigate and consult with General Manager, Recreation and Park Department, concerning use of the scoreboard to show commercials while athletic games are being played and what can be done to prevent it from happening.

[Settlement of Unlitigated Claim in Favor of City]
Resolution approving settlement agreement (Giants), including an unlitigated claim in the amount of \$292,000 in favor of the City and County. (Recreation and Park Commission)

File 49-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to August 26, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

[Candlestick Park - Parking Lot Agreement]
Resolution approving agreement between San Francisco Giants and the City and County acting by and through the Recreation and Park Commission for operation of the parking lot at Candlestick Park for baseball events. (Recreation and Park Commission)

File 63-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to August 26, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Request Granted

In connection with the above four items, Supervisor Migden requested that letter be sent requesting the President, Recreation and Park Commission or General Manager, Recreation and Park Department, appear on August 26, 1991 to answer questions the Supervisors may have on these matters.

No objection, and Clerk directed to comply.

Monday, August 12, 1991

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Lease]

Ordinance approving a five (5) year lease between the City and County and Space Systems/Loral, Inc., Lessee; effective retroactive to August 1, 1991. (Public Utilities Commission)

File 65-91-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Adopted

[Acceptance of Gift]

Resolution accepting one gift valued at \$17,380, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-91-9, Resolution No. 714-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

[Award of Lease]

Resolution accepting bid of S & F/MEDA in response to call for bids for lease of Mission Bartlett Parking Garage and awarding said lease to said bidder as the highest and best responsible bidder. (Real Estate Department)

File 47-91-7.1, Resolution No. 715-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Monday, August 12, 1991

[Grant - Federal Funds]

Resolution authorizing the Public Library to apply for, accept and expend funds not to exceed \$10,000 including indirect costs of \$500, or five percent of the grant funds available through California State Library from the Library Services and Construction Act for the development of Grandparents and Books Programs in public libraries for fiscal year 1991-92; providing for ratification of action previously taken. (Public Library)

File 147-91-7, Resolution No. 716-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

[Contract]

Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to renew a contract with California Youth Authority for diagnostic and treatment services and temporary detention not to exceed 90 days; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-91-7, Resolution No. 717-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Recommendation of City Services Committee

Adopted

[Memorandum of Understanding]

Resolution urging the Mayor to urge the Public Utilities Commission to enter into a Memorandum of Understanding regarding urban water conservation in California. (Public Utilities Commission)

File 93-91-2, Resolution No. 707-91

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Monday, August 12, 1991

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Ford Brown;
Dehnert Queen.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

(The following two items were considered separately.)

Tabled

[Television Commercial]

Motion suspending Rule 5.2 of the Rules of Order and authorizing Harmony Pictures to film a television commercial in the Legislative Chamber subject to conditions specified by the Chief Administrative Officer, the City Attorney and the President of the Board of Supervisors. (Supervisor Ward)

File 56-91-2

(August 5, 1991 - Introduced in Board for consideration on August 12, 1991.)

At the request of the sponsor, Supervisor Maher, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

Adopted

[Management Audit - Senior Escort Service]

Motion directing the Budget Analyst to prepare a management audit on the quality of service provided by the Senior Escort Service in keeping with the criteria set forth by the City and County. (Supervisor Kennedy)

File 165-91-6

Monday, August 12, 1991

(August 5, 1991 - Introduced in Board for consideration on August 12, 1991.)

Adopted.

Adopted by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Maher requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Referred to Committee

[Golden Gate Transit Service]
Resolution establishing the policy of the City and County to allow Golden Gate Transit buses to operate on Market Street. (Supervisor Maher)

File 171-91-11, Resolution No.

At the request of Supervisor Maher, referred to Economic and Social Policy Committee.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

Monday, August 12, 1991

File 1-91-32, Resolution No. 703-91

(Terence Hallinan, member, Board of Supervisors, August 15 - 21; Carole Migden, member, Board of Supervisors, August 17 - 20; Kevin Shelley, member, Board of Supervisors, August 12 - 16; Jeff Brown, Public Defender, August 11 and September 5; L. Andrew Jeanpierre, member, Airports Commission, August 8 - 18; Leonard Graff, member, Human Rights Commission, September 3 - 25; H. Daniel McFarland, General Manager, Department of Electricity and Telecommunications, September 24 - 27; Rudolf Nothenberg, Chief Administrative Officer, August 10 - 14; Sharon Owsley, member, Film and Video Arts Commission, August 8 - September 3; Frederick F. Postel, Chief of Fire Department, August 11 - 15; Germaine Q. Wong, Registrar of Voters, July 31 - August 2, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]

Resolution authorizing temporary closing of a portion of Capp Street, between 23rd and 24th Streets, on Saturday, August 24, 1991, from 11:00 a.m. to 9:30 p.m. for a flea market and carnival.

File 42-91-42, Resolution No. 704-91

Supervisor Gonzalez presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Mendell Street, between Newcomb and Oakdale Avenues, on Saturday, August 24, 1991, from 9:00 a.m. to 5:00 p.m. for a Health Fair.

File 42-91-43, Resolution No. 705-91

Supervisor Ward presented for immediate adoption.

Adopted.

[Legislative Chamber]

Motion suspending Rule 5.2 of the Rules of Order and authorizing the use of the Legislative Chamber to film a voter registration promotion subject to conditions specified by the Chief Administrative Officer, the City Attorney and the President of the Board of Supervisors.

File 56-91-3

Monday, August 12, 1991

Supervisor Hsieh presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Ward - 8.

Absent: Supervisors Achtenberg, Britt, Shelley - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Minority, Women and Local Business Enterprises]

Ordinance amending Administrative Code by amending Section 12D.11 relating to the procurement of professional architectural and engineering services from Latino owned architect/engineering firms and the procurement of medical services from Black owned medical services providers. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 97-91-44

[Government Funding]

Ordinance appropriating \$475,000, Sheriff Department, for permanent salaries, related mandatory fringe benefits, subsistence-persons, office supplies, laboratory supplies, uniforms, automobile vehicles, communications and furnishings/furniture, for the creation of four (4) positions. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the August 14, 1991 meeting.

File 101-91-8

[Public Employment]

Ordinance amending Ordinance No. 304-91 (Annual Salary Ordinance, 1991-92) reflecting the addition of four positions in the Sheriff's Office; companion measure to File 101-91-8. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the August 14, 1991 meeting.

File 102-91-4

Monday, August 12, 1991

[Golden Gate Transit Service]

Draft ordinance amending Police Code by amending Section 1183 relating to operation of passenger-carrying commercial motor vehicles within certain streets and areas, prohibited. (Supervisors Maher and Ward presented.) Referred to Economic and Social Policy Committee.

File 121-91-5

Referred to Board

[Federal Legislation]

Resolution placing the San Francisco Board of Supervisors on record in support of the California Fish and Wildlife Protection Act of 1991 (HR 1306, Miller), and the Central Valley Improvement Act (S484, Bradley). (Supervisor Shelley presented.) Referred to Board August 19, 1991 For Adoption Without Committee Reference Calendar.

File 13-91-22

Referred to Committee

[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Stationary Engineers, Local 39. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 93-91-5

[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Automotive Machinists Union, No. 1305. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 93-91-6

[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Laborers, Local 261. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 93-91-7

[Memorandum of Understanding]

Resolution ratifying extension of 1989-91 Memorandum of Understanding with Transport Workers Union Local 250-A (for 7410 Automotive Service Workers). (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 93-91-8

Monday, August 12, 1991

[Memorandum of Understanding]

Resolution ratifying extension of 1989-91 Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Supervisory Employees Association Muni Transport Workers Union, Local 200. (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 93-91-9

[Memorandum of Understanding]

Resolution ratifying extension of 1989-91 Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Transport Workers Union, Local 250-A (for 9163 Transit Operators). (Supervisor Gonzalez presented.) Referred to Administration and Oversight Committee.

File 93-91-10

[Mortgage Revenue Bonds]

Draft resolution stating the intention of the City and County to issue City and County mortgage revenue bonds to finance the construction of multi-family residential development (Art Ark, southwest corner of 18th and Arkansas Streets). (Supervisor Gonzalez presented.) Referred to Finance Committee.

File 170-91-5

[Interim Controls]

Resolution imposing Interim Controls to prohibit for a period of 12 months the approval of permits establishing new adult entertainment enterprises in Northern Waterfront Special Use District No. 2. (Supervisors Shelley and Alioto presented.) Referred to Economic and Social Policy Committee.

File 111-91-2

[Interim Controls]

Resolution order directing the Zoning Administrator, the Superintendent of the Bureau of Building Inspection, the Board of Permit Appeals, and other permit-issuing and permit-approving agencies to suspend action on permit applications authorizing the establishment of new adult entertainment enterprises in Northern Waterfront Special Use District No. 2 pending final action on Interim Zoning Controls. (Supervisors Shelley and Alioto presented.) Referred to Economic and Social Policy Committee.

File 111-91-2.1

[Friendship-Solidarity City/Partner Program]

Resolution establishing a friendship-solidarity city/partner community relationship between the City of San Francisco and the

Monday, August 12, 1991

Community of the Fingo People (South Africa). (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 242-91-1

Requests for Hearings:

File 15-91-7, By Supervisor Ward: To consider and review taxi rates, a procedure required each year between September 1 and December 1, by Police Code Section 1137. Referred to Economic and Social Policy Committee.

File 55-91-2, By Supervisor Kennedy: To consider widening and/or use of barriers on Doyle Drive, to ask CalTrans to upgrade the seismic safety of the street structure and to agree to extend the use of radar on Doyle Drive. Referred to Economic and Social Policy Committee.

File 192-91-2, By Supervisor Gonzalez: To consider the Department of Parking and Traffic's 1991 application for Proposition 116 Bicycle Funds. Referred to Finance Committee with request it be considered at the August 21, 1991 meeting.

Referred to Board

[Management Audit]

Motion directing the Budget Analyst to conduct a management audit of the Police Department's expenditure of \$3.6 million for a state-of-the-art firing range. (Supervisor Hsieh presented.) Referred to Board August 19, 1991 For Adoption Without Committee Reference Calendar.

File 165-91-7

Report Requested; Referred to Board

Report by the Executive Director, Parking and Traffic Department, on the functions and operations of the Department.

File 243-91-1.

Scheduled for Board meeting of August 19, 1991 by direction of the President at the request of Supervisor Kennedy.

Requests Granted

Supervisor Kennedy requested letter be sent to Executive Director, Parking and Traffic Department, for report in writing and orally on the functions and operations of the Department, scheduled for consideration at the Board meeting of August 19, 1991.

Supervisor Kennedy requested letter be sent to Executive

Monday, August 12, 1991

Director, Parking and Traffic Department, inquiring what the Department is doing to promote minority businesses, why is it that Rapid Shine cannot come under the Proprietary List and to comment on statement alleging that the Department is doing everything it can to displace Rapid Shine.

Supervisor Kennedy requested City Attorney investigate allegations that the Parking and Traffic Department is doing everything it can to displace Rapid Shine, such as interfering with vendors doing business with them.

No objection and Clerk directed to comply.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 45-91-45. [Settlement of Lawsuit] Authorizing settlement of litigation of United Public Employees, Local 790, AFL-CIO against the City and County by payment of \$35,000. (City Attorney). Administration and Oversight.

File 45-91-46. [Settlement of Lawsuit] Authorizing settlement of litigation of Andy Powers against the City and County by payment of \$27,500. (City Attorney). Administration and Oversight.

File 45-91-47. [Settlement of Lawsuit] Authorizing settlement of litigation of California State Automobile Association against the City and County by payment of \$364,000 in three equal non-interest bearing installments. (City Attorney). Administration and Oversight.

File 45-91-48. [Settlement of Lawsuit] Authorizing settlement of litigation of Kenneth Holman and Watson Marquardt against the City and County by payment of \$17,500. (City Attorney). Administration and Oversight.

File 62-91-4. [Hall of Justice Cafeteria Lease] Approving and adopting Hall of Justice Cafeteria legal documents and authorization. (Real Estate Department). Finance.

File 155-91-2. [Reward Authorization] Authorizing payment of reward to does one through five individuals. (Mayor). Finance.

Resolutions Referred to Committee

File 64-91-25. [Amendment to Lease] Authorizing amendment to an existing lease of real property at 298 Monterey Boulevard for use as an Outpatient Mental Health Clinic, for the Department of Public Health. (Real Estate Department). Finance.

File 89-91-15. [State Disability Insurance] Authorizing enrollment of Classification 5404 Special Assistant for Program Development in the State Disability Insurance Program. (Employee Relations Division). Administration and Oversight.

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File 93-91-4. [Memorandum of Understanding] Ratifying Memorandum of Understanding with Glazers, Architectural Metal and Glass Workers Local Union No. 718. (Office of the Mayor Employee Relations Division). Administration and Oversight.

File 101-91-6. [Appropriations] Establishing the appropriations limit for Fiscal Year 1991-92 pursuant to California Constitution Article XIII B. (Controller). Finance.

File 146-91-64. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant not to exceed \$2,250,000, which includes indirect costs based on 10% of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the Epidemiologic Study of the Natural History of HIV/AIDS in Homosexual/Bisexual Men previously enrolled in studies of Hepatitis B Infection and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

File 199-91-1. [Jurisdictional Transfer] Transferring jurisdiction from the Department of Parking and Traffic to the Recreation and Park Department, the rooftop of St. Mary's Square Garage, 433 Kearny Street being a portion of Block 258, Lot 3; and adopting findings pursuant to City Planning Section 101.1. (Real Estate Department). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Gonzalez, that City Attorney draft legislation including a seventh point to the Ship Repair Survival Plan to exempt from the payroll tax all tenants of the Port of San Francisco whose principal business is ship repair and at least 30 percent of their workforce are San Francisco residents and to exempt from the payroll tax subcontractors of these ship repair businesses who derive at least 70 percent of their revenues from the ship repair industry.

By Supervisor Gonzalez, that letters be sent to Executive Director, Parking and Traffic Department, and Director of Public Works inquiring whether it is feasible to install "bumper blocks" on various streets surrounding the Geneva Towers complex and whether fencing can be installed to curtail vandalism and to keep homes from being hit by vehicles.

By Supervisor Gonzalez, that letter of inquiry be sent to General Manager, Municipal Railway, to determine how citizens' complaints are handled and the time frame in which to expect an answer; for example, a complaint filed against a cable car driver following an incident in April, 1991 in which an administrative hearing was held July 11 with a decision promised for the following day. To date, there has been no response.

Monday, August 12, 1991

By Supervisor Gonzalez, that letter of appreciation be sent to Viacom Cablevision for their good corporate citizenship in providing refunds to Park Merced residents that cannot receive the new, expanded 52 channel service.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

File 2-91-32

Unanimously adopted by a rising vote.

Charles Garry (Supervisors Ward, Gonzalez)
Joseph Vaultz (Supervisor Kennedy)
Yasuji Matsui (Supervisor Maher)
Ron Kershaw (Supervisor Hsieh)

ADJOURNMENT

There being no further business, the Board at the hour of 3:03 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, August 12, 1991

Approved by the Board of Supervisors on April 20, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

8/19/91

Vol. 86

No. 33

Monday, August 19, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 19, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Hallinan, Hsieh, Kennedy, Shelley, Ward - 6.

Noted absent at first roll call:

Supervisors Alioto, Britt, Gonzalez, Maher, Migden - 5.

Quorum present.

Supervisor Alioto, was noted present at 2:15 p.m.

Supervisor Britt, was noted present at 2:17 p.m.

Supervisor Gonzalez, was noted present at 2:15 p.m.

Supervisor Maher was noted present at 2:12 p.m.

Supervisor Migden excused, on official leave or absence.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Maher, moved that the Journal of Proceedings for Monday, December 3, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Gonzalez, Migden - 4.

Monday, August 19, 1991

SPECIAL ORDER - 2:00 P.M.

Recommendations of Administration and Oversight Committee

Adopted

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition A, a charter amendment concerning early service retirement. (Supervisor Hsieh)

File 239-91-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Gonzalez, Migden - 4.

Adopted as Amended

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition B, a charter amendment concerning collective bargaining. (Supervisor Shelley)

File 229-91-2

Supervisor Shelley, seconded by Supervisor Achtenberg, moved an amendment of the whole ballot argument.

Amendment of the whole ballot argument adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Migden - 1.

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition C, a charter amendment concerning civil service exams. (Supervisor Hallinan)

Monday, August 19, 1991

File 219-91-2

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved an amendment of the whole ballot argument.

Amendment of the whole ballot argument adopted by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Achtenberg, Migden - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition D, a charter amendment concerning certification of eligibles.
(Supervisor Hallinan)

File 220-91-2

Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole ballot argument.

Amendment of the whole ballot argument adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Migden - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Migden - 1.

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition E, a charter amendment concerning discharge of permanent employees.
(Supervisor Hallinan)

Monday, August 19, 1991

File 223-91-2

Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole ballot argument.

Amendment of the whole ballot argument adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

Adopted

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition F, a charter amendment concerning military reservists pay. (Supervisor Maher)

File 228-91-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition G, a charter amendment concerning housing authority police. (Supervisor Gonzalez)

File 190-91-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

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[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition I, a charter amendment concerning appointment of youth to city advisory boards and commissions. (Supervisor Hallinan)

File 225-91-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

Adopted as Amended

[Ballot Argument]

Motion authorizing opponent's argument opposed to Proposition K, an initiative petition relating to repeal of the domestic partners ordinance. (Supervisors Britt, Ward)

File 60-91-7

Supervisor Britt, seconded by Supervisor Alioto, moved to amend lines 12, 13 and 14 to read: "The health policy was adopted by the Health Service Board and approved by the Board of Supervisors because both Boards thought it was only fair. But whether you agree with this or not, Proposition K will have no effect on the health plan whatsoever."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

Adopted

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition L, the Phelan Loop Senior Housing Rezoning. (Supervisor Ward)

File 60-91-2.1

Adopted by the following vote:

Monday, August 19, 1991

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Britt, Migden - 2.

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition M, a referendum petition relating to vacancy rent control ordinance. (Supervisor Ward)

File 60-91-1.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Maher, Shelley, Ward - 6.

Noes: Supervisors Gonzalez, Hsieh, Kennedy - 3.

Absent: Supervisors Britt, Migden - 2.

Tabled

(Supervisor Maher dissenting in Committee.)

[Ballot Argument]

Motion authorizing opponent's argument opposed to Proposition N, the renter's choice and home ownership opportunity measure. (Supervisor Ward)

File 60-91-10

Supervisor Kennedy, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Adopted

[Ballot Argument]

Motion authorizing proponent's argument in favor of Proposition Q, a policy statement relating to the military budget. (Supervisor Britt)

File 60-91-6

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Shelley, Ward - 8.

Monday, August 19, 1991

Noes: Supervisor Maher - 1.

Absent: Supervisors Hsieh, Migden - 2.

Request Granted

In order to clarify that the vote on submission of a ballot argument does not necessarily mean the person is in support of the measure, Supervisors Maher and Ward directed that City Attorney be requested to prepare ordinance amending the Administrative Code which would eliminate the requirement that the Registrar of Voters record how individual members of the Board of Supervisors voted on the submission of ballot arguments for the voter handbook.

No objection, and Clerk directed to comply.

CONSENT CALENDAR

Recommendation of Finance Committee

Finally Passed

[Lease]

Ordinance approving a five (5) year lease between the City and County and Space Systems/Loral, Inc., Lessee; effective retroactive to August 1, 1991. (Public Utilities Commission)

File 65-91-6, Ordinance No. 315-91

Finally passed.

Recommendations of Administration and Oversight Committee

Passed for Second Reading

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jeffrey Charles and Bernard Charles against the City and County by payment of \$25,000. (City Attorney)

File 45-91-42, Ordinance No.

(Superior Court No. 901-492.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Mario Gonzalez against the City and County by payment of \$11,000. (City Attorney)

File 45-91-43, Ordinance No.

Monday, August 19, 1991

(Municipal Court No. 032-976.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Oscar Chulo against the City and County by payment of \$11,500. (City Attorney)

File 45-91-44, Ordinance No.

(Superior Court No. 922-122.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of United Public Employees, Local 790, AFL-CIO against the City and County by payment of \$35,000. (City Attorney)

File 45-91-45, Ordinance No.

(Superior Court No. 927-223.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Raymond A. Koenig v. Southern Pacific Transportation Company, et al., upon receipt of the sum of \$12,500 and dismissal of complaint. (City Attorney)

File 46-91-9, Ordinance No.

(Superior Court No. 896-300.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Martha Rosales v. American Ambuvan Services., Inc., et al., upon receipt of the sum of \$20,000 and dismissal of complaint. (City Attorney)

File 46-91-10, Ordinance No.

(Superior Court No. 903-357.)

Passed for second reading.

Adopted

Monday, August 19, 1991

[State Disability Insurance]
Resolution authorizing enrollment of Classifications 0174 Attorney,
Civil and Criminal, 2786 General Services Manager and 8264 Forensic
Document Examiner in the State Disability Insurance Program.
(Employee Relations Division)

File 89-91-9, Resolution No. 725-91

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classification 0591 Superior
Court Clerk in the State Disability Insurance Program. (Employee
Relations Division)

File 89-91-13, Resolution No. 726-91

Adopted.

[State Disability Insurance]
Resolution authorizing enrollment of Classifications 0710
Phonographic Reporter and 0818 MIS Specialist II in the State
Disability Insurance Program. (Employee Relations Division)

File 89-91-14, Resolution No. 727-91

Adopted.

Recommendations of Economic and Social Policy Committee

Adopted

[Taxi Zones]
Resolution establishing a taxi zone on California Street. (Economic
and Social Policy Committee)

File 15-91-7, Resolution No. 719-91

(Taxi-Zone - Establish
California Street, south side, from 155 to 243 feet east of
Kearny Street (88-foot zone).)

Adopted.

[Stop Intersections]
Resolution designating certain intersections as "Stop"
intersections, various streets. (Economic and Social Policy
Committee)

File 18-91-9, Resolution No. 720-91

Monday, August 19, 1991

(Stop Signs - Establish

Greenwich Street and Steiner Street, southeast and northwest corners, stopping Steiner Street (makes this an all-way Stop);

27th Avenue and Moraga Street, southeast and northwest corners, stopping 27th Avenue traffic;

Halleck Street and Sansome Street, southwest corner, stopping eastbound Halleck Street traffic;

Halleck Street and Battery Street, northeast corner, stopping westbound Halleck Street traffic;

Hayes Street and Lyon Street, northeast and southeast corners, stopping Hayes Street traffic (makes this an all-way Stop);

22nd Avenue and Rivera Street, northeast corner, stopping westbound Rivera Street traffic;

38th Avenue and Wawona Street, northwest and southeast corners, stopping 38th Avenue traffic;

Armstrong Avenue and Keith Street, northwest and southeast corners, stopping Keith Street traffic;

Beverly Street, Holloway Avenue and Lunado Way, northwest and southeast corners, stopping northbound Beverly Street and southbound Lunado Way traffic;

Brussels Street and Ordway Street, northeast and southwest corners, stopping Ordway Street traffic;

Corona Street and Urbano Drive (North Intersection), northwest and southeast corners, stopping Corona Street traffic;

Hernandez Avenue and Laguna Honda Boulevard, northeast and southwest corners, stopping Hernandez Avenue traffic;

Higuera Avenue and Vidal Drive (North Intersection), northwest corner and west center island, stopping southbound Vidal Drive traffic. East center island, stopping southbound service road traffic;

Higuera Avenue and Vidal Drive (South Intersection), southeast corner and center island, stopping northbound Vidal Drive traffic;

Judson Avenue and Phelan Avenue, southwest corner, stopping eastbound Judson Avenue traffic;

Lakeview Avenue and Majestic Avenue, northwest and southeast corners, stopping Majestic Avenue traffic;

Munich Street and Russia Avenue, northwest and southeast corners, stopping Munich Street traffic;

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Clementina and Gallagher Streets, southwest and northwest corners (makes this an all-way Stop);

Cole and Page Streets, northeast and southwest corners (makes this an all-way Stop); and

Hayes and Cole Streets, northeast and southwest corners (makes this an all-way Stop).)

Adopted.

[Parking Regulations]

Resolution enacting parking regulations on various streets.
(Economic and Social Policy Committee)

File 19-91-7, Resolution No. 721-91

90 Degree Parking - Establish

Kansas Street, east side, from 23rd Street to 26th Street.

Parking Meter Area 3 - Extend

Broadway, south side, between Davis and Battery Streets
(one-hour meters).

Perpendicular (90-Degree) Parking - Establish

Kansas Street, east side, from 28 feet north of 19th Street
northerly to 18th Street.

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Economic and Social Policy Committee)

File 20-91-10, Resolution No. 722-91

(Tow-Away No Stopping Anytime - Establish

Harrison Street, northside, from Fremont Street to 140 feet
easterly (140-foot zone).

Fell Street, southside, from the east line of Shrader Street to
Stanyan Street.

Bacon Street, south side, between San Bruno Avenue and Bayshore
Boulevard (retaining the bus zone).

Bacon Street, north side, from Bayshore Boulevard to 231 feet
westerly (231-foot zone).

Tow-Away No Parking Anytime - Establish

Halleck Street, both sides, between Sansome Street and Battery
Street.

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Right Turn Only - Establish

Fern Street, westbound, at Franklin Street.

No U-Turn - Establish

Kezar Drive, eastbound and westbound, at Martin Luther King Drive.

Midblock Crosswalk - Establish

Winston drive, at approximately 540 feet east of Lake Merced boulevard.

Tow Away No Stopping Anytime - Establish

Winston Drive, north side, from approximately 540 feet to 640 feet east of Lake Merced Boulevard (100-foot zone).

Winston Drive, south side, from approximately 440 feet to 540 feet east of Lake Merced Boulevard (100-foot zone).

Kearny Street, east side, from 150 feet north of Geary Street to Post Street.

Stockton Street, west side, from Sutter Street to 140 feet northerly (140-foot) zone.

Left Lane Must Turn Left - Establish

Folsom Street, southbound, at Army Street

No U-Turn - Establish

Portola Drive, eastbound, at Laguna Honda Boulevard.

Tow Away, No Stopping, 7-9 A.M. and 4-6 P.M., Monday thru Friday - Rescind

California Street, south side, from 155 to 243 feet east of Kearny Street (88-foot zone).

One-Way Street - Establish

Pleasant Street, between Taylor and Jones Streets, one-way westbound.

Tow Away No Stopping 4 P.M. - 6 P.M. Monday through Friday - Rescind

Front Street, west side, between Pine and California Streets.

No Turn on Red - Rescind

Sansome Street, northbound, at Broadway.

No U-Turn - Establish

Army Street, westbound, at Guerrero Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Monday, August 19, 1991

REGULAR CALENDAR

UNFINISHED BUSINESS

From Economic and Social Policy Committee
Without Recommendation

Tabled

(Supervisor Alioto excused from voting.)

[Condominium Conversions]

Ordinance amending the Subdivision Code, to create the tenant home ownership opportunity program of 1990, to exempt from the conversion limitations of Section 1396 for the period from the effective date of this ordinance through December 1992 the conversion of 1000 units in apartment complexes of 25 to 200 units where two-thirds of the tenants agree to the conversion, making findings with respect to the exemption, and amending the Administrative Code to provide that a landlord may not evict tenants from units converted to condominiums under Subdivision Code Section 1396B on the ground that the landlord or a relative desires to occupy the unit. (Supervisor Kennedy)

File 126-90-1, Ordinance No.

(Amends Administrative Code Section 37.9;
Amends Subdivision Code Section 1396;
Adds Subdivision Code Section 1396B.)

(Categorically exempt from environmental review)

(October 15, 1990 - Supervisor Alioto was excused from voting by the Board.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Excused: Supervisor Alioto - 1.

Absent: Supervisors Britt, Migden - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

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[Government Funding]

Ordinance appropriating \$66,000, Sheriff's Department, for professional services (Own Recognizance Project) - Prop J/CSC, for fiscal year 1991-92. (Controller)

File 101-91-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Passed for Second Reading as Amended

[Government Funding]

Ordinance appropriating \$500,000 for permanent salaries, related mandatory fringe benefits, subsistence-persons, office supplies, laboratory supplies, uniforms, automobile vehicles, communications and furnishings/furniture, for the creation of four positions, Sheriff's Department for fiscal year 1991-92; placing \$312,250 on reserve. (Supervisor Gonzalez)

File 101-91-8, Ordinance No.

In response to Supervisors Hsieh and Gonzalez' inquiry how these new positions can be deleted once the jail project is completed, Deputy City Attorney Ted Lakey stated the ordinance can be amended by inserting the letter "L" to indicated these positions should be reviewed each year as part of the budget process.

Thereupon, Supervisor Gonzalez, seconded by Supervisor Hsieh, moved to amend page two, lines six and seven, after "8308" by inserting "L".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 8.

Absent: Supervisors Britt, Migden, Shelley - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 8.

Absent: Supervisors Britt, Migden, Shelley - 3.

[Public Employment]

Ordinance amending Ordinance No. 304-91 (Annual Salary Ordinance, 1991-92) reflecting the addition of four positions in the Sheriff's Office; companion measure to File 101-91-8. (Supervisor Gonzalez)

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File 102-91-4, Ordinance No.

Supervisor Gonzalez, seconded by Supervisor Achtenberg, moved to amend lines 13 and 14, by replacing "A" with "L".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 8.

Absent: Supervisors Britt, Migden, Shelley - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Ward - 8.

Absent: Supervisors Britt, Migden, Shelley - 3.

Adopted

[Lease of Property]

Resolution authorizing extension of an existing lease of vacant land at Army and Evans Streets for the Department of Public Works; effective retroactive to July 1, 1991. (Real Estate Department)

File 64-91-23, Resolution No. 723-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

[Lease of Property]

Resolution authorizing lease of vacant land from the State of California for use by Municipal Railway; effective retroactive to August 1, 1991. (Real Estate Department)

File 64-91-24, Resolution No. 724-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

[State Board of Control]

Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of \$230,850 made available through

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the State Board of Control Victims of Crime Program, for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center", for fiscal year 1991-92; providing for ratification of action previously taken. (Mayor)

File 138-91-6, Resolution No. 729-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

[Grant - State Funds]

Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of \$286,991 available through the Office of the Criminal Justice Planning for a project entitled "Victim Witness Assistance Center", for the twelve month period July 1, 1991 through June 30, 1992; providing for ratification of action previously taken. (Mayor)

File 138-91-7, Resolution No. 730-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for a grant of \$315,000, which includes indirect costs in the amount of \$27,716 based on 20% of the personnel costs, from Centers for Disease Control for HIV Services and Adolescents at High Risk, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-62, Resolution No. 731-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Britt, Gonzalez, Migden - 3.

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[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau, to apply for a grant of \$315,000, which includes indirect costs in the amount of \$17,753 based on 20% of the personnel costs, from Centers for Disease Control for HIV Services and Adolescents at High Risk, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; providing for ratification of action previously taken. (Department of Public Health)

File 146-91-63, Resolution No. 734-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Recommendation of Administration and Oversight Committee

Adopted

[Appointment]

Resolution appointing member to the Park and Open Space Advisory Committee, for the two-year term ending July 15, 1993.
(Administration and Oversight Committee)

File 92-90-39, Resolution No. 728-91

(Mauricio Aviles, Sierra Club, vice Harvey Louie, term expired.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

Recommendation of City Services Committee

Adopted

[Golf Course]

Resolution urging the Mayor to urge the Public Utilities Commission to delay the selection of an environmental review consultant for the construction of a golf course within the San Francisco Water Department San Mateo County Watershed until a comprehensive watershed management plan is completed. (Supervisors Maher, Alioto, Gonzalez, Achtenberg)

File 191-91-1, Resolution No. 735-91

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Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 10.

Absent: Supervisor Migden - 1.

In connection with the above item, Supervisors Alioto, Gonzalez and Achtenberg requested to be added as co-sponsors.

Recommendations of Economic and Social Policy Committee

Passed for Second Reading

[Zoning Text Amendment - Bush Street Cottage Row]
Ordinance amending City Planning Code by adding Appendix K to Article 10, to provide for the establishment of the Bush Street-Cottage Row Historic District. (Department of City Planning)

File 115-91-8, Ordinance No.

(Approved by City Planning Commission Resolution No. 13116.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Britt, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Noes: Supervisors Gonzalez, Hsieh - 2.

Absent: Supervisors Achtenberg, Migden - 2.

[Places of Entertainment and Cabarets]
Ordinance amending Police Code, relating to regulation of places of entertainment; relating to regulation of cabarets and staying any prior suspension or revocation currently in litigation.
(Supervisors Kennedy, Maher, Achtenberg)

File 121-91-4, Ordinance No.

(Amends Sections 1060, 1060.3, 1060.5, 1060.20, 1060.27, 1070.3, 1070.5 and 1070.17.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

In connection with the above item, Supervisor Achtenberg requested to be added as co-sponsor.

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Rereferred to Committee

[Croatian and Slovenian Communities]
Resolution supporting United States recognition of Croatian and Slovenian independence. (Supervisors Kennedy, Achtenberg, Migden)

File 13-91-20, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

From the President

Consideration Continued

Report by the Executive Director, Department of Parking and Traffic, on the functions and operations of the Department. (Supervisor Kennedy)

File 243-91-1

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to August 26, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Shelley, Ward - 9.

Absent: Supervisors Britt, Migden - 2.

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the Public Comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the

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rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Federal Legislation]

Resolution placing the San Francisco Board of Supervisors on record in support of the California Fish and Wildlife Protection Act of 1991 (HR 1306, Miller), and the Central Valley Improvement Act (S484, Bradley). (Supervisors Shelley, Alioto)

File 13-91-22, Resolution No. 718-91

(August 12, 1991 - Introduced in Board for consideration
on August 19, 1991.)

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[New Condominium Project]

Motion approving final map of 639 Geary Street, also known as Geary Courtyard, being a resubdivision of Lots 21 and 22 in Assessor's Block 38; and adopting findings pursuant to City Planning Code Section 101.1.

File 58-91-23

(August 12, 1991 - Introduced in Board for consideration
on August 19, 1991.)

Adopted.

[Management Audit]

Motion directing the Budget Analyst to conduct a management audit of the Police Department's expenditure of \$3.6 million for a state-of-the-art firing range. (Supervisor Hsieh)

File 165-91-7

(August 12, 1991 - Introduced in Board for consideration
on August 19, 1991.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

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Ayes: Supervisors Alioto, Gonzalez, Hsieh, Kennedy, Shelley, Ward - 6.

Absent: Supervisors Achtenberg, Britt, Hallinan, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-33, Resolution No. 708-91

(Harry Britt, member, Board of Supervisors, August 24 - 27; Alan Becker, member, War Memorial Board of Trustees, August 24 - September 3; Debra Chasnoff, member, Film and Video Arts Commission, August 3 - 10; Kenneth Dowlin, City Librarian, October 13 - 22; Richard Guggenheimer, member, Recreation and Park Commission, August 10 - 17 and September 6 - 8; Thomas Horn, Vice President, War Memorial Board of Trustees, August 17 - 29; L. Andrew Jeanpierre, member, Airports Commission, August 8 - 18; Julia Lopez, General Manager, Department of Social Services, September 5 - 6 and 18 - 20; Esther Marks, President, Board of Permit Appeals, August 14 - 18; Harry S. Parker, III, Director, Fine Arts Museums, September 14 - 22; Betty Lou Treguboff, member, Commission on the Aging, August 22 - 26 and September 4 - 9; L.A. Turpen, Director of Airports, August 8 - 11 and 16 - 22; Joanne Chow Winship, Director of Cultural Affairs, August 9 - 26, 1991.)

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of Front, Jackson, Davis and Broadway Streets; and providing for insurance. (Supervisor Migden)

File 42-91-44, Resolution No. 712-91

(Front Street, between Broadway and Jackson Street, including the intersection of Front and Jackson Streets, on Monday, September 2, 1991, from 8:00 a.m. to 4:00 p.m.;

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Jackson Street, between Front and Davis Streets, including the intersection of Jackson Street and Davis Street, on Monday, September 2, 1991, from 8:00 a.m. to 4:00 p.m.;

Davis Street, between Jackson Street and Broadway, including the intersection of Davis Street and Broadway, on Monday, September 2, 1991, from 8:00 a.m. to 4:00 p.m.;

Broadway, between Front and Davis Street, two most southerly lanes, including intersection of Broadway, and Front Street, on Monday, September 2, 1991, from 9:30 a.m. to 2:00 p.m., for "Giro Di San Francisco" bicycle race sponsored by Velo Promo and Peninsula Velo Bike Club.)

Adopted.

[Contract or Agreement]

Resolution authorizing the Director of Public Works to execute an amendment to the existing agreement with the State of California providing for joint City and State participation in the planning phase of the Islais Creek Interchange Project. (Supervisor Gonzalez)

File 172-91-10, Resolution No. 713-91

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the Calendar.)

Adopted

[State Legislation]

Resolution supporting SB 181, as amended, to provide that the California Department of Transportation shall consult with the City and County of San Francisco to identify reasonable and practical alternatives to repairing existing portions of the Central Expressway of State Highway Route 101.

File 12-91-41, Resolution No. 709-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[RU 486]

Resolution commending Assemblywoman Jackie Spier and urging residents to use the new 1/900/73-RU-486 phone to encourage their legislators to support the pill.

File 12-91-42, Resolution No. 710-91

Supervisor Alioto presented for immediate adoption.

Adopted.

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[Gift Acceptance]

Resolution authorizing the Small Business Advisory Committee to accept a gift of \$27,757 in computer equipment from Apple Computer for a computer-based training lab.

File 38-91-11, Resolution No. 711-91

Supervisor Gonzalez presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Britt, Gonzalez, Hsieh, Kennedy, Maher, Shelley, Ward - 8.

Absent: Supervisors Achtenberg, Hallinan, Miqden - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Zoning Map Amendment]

Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street, Lots 27, 30, 43, 44-55, 58-88, 90, 125 and 132-142 (formerly Lot 126) in Assessor's Block 217 within an RM-4 (Mixed Residential, High Density) District (Lots 27, 43 and 125 and portions of Lots 44/55, 58/88 and 90) and an RM-3 (Mixed Residential, Medium Density) District (Lots 132-142 and the remainder of Lots 44/55, 58/88 and 90) to include said property within the boundaries of the Nob Hill Special Use District. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee with request it be considered at the August 27, 1991 meeting.

File 36-91-7.1

[Special Use District]

Ordinance amending City Planning Code by adding Section 249.12 to create the Haight Street Affordable Housing Special Use District and finding consistency with City Planning Code 101.1. (Supervisor Kennedy presented.) Referred to Economic and Social Policy Committee.

File 115-91-10

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Referred to Board

[Health Care Reform]

Resolution placing the San Francisco Board of Supervisors on record as supporting the emergency ambulance drive to Washington, D.C. for health care reform. (Supervisor Shelley presented.) Referred to Board August 26, 1991 For Adoption Without Committee Reference Calendar.

File 13-91-23

Referred to Committee

[Final Negative Declaration]

Resolution adopting Final Negative Declaration of environmental impact, finding and determining that a reclassification of property to include six additional lots within the boundaries of the Nob Hill Special Use District would have no significant effect on the environment. (Supervisor Maher presented.) Referred to Economic and Social Policy Committee with request it be considered at the August 27, 1991 meeting.

File 36-91-7

[Memorandum of Understanding]

Resolution ratifying wage freeze memorandum of understanding with Service Employees International Union Locals 250, 535 and 790. (Supervisor Shelley presented.) Referred to Administration and Oversight Committee with request it be considered at the August 23, 1991 special meeting.

File 93-91-3

Referred to Board

[Rincon Point - South Beach Redevelopment Plan]

Resolution adopting Final Supplemental Environmental Impact Report, finding and determining that the proposed amendment to the Rincon Point - South Beach Redevelopment Plan will have significant impacts on the environment and adopting and incorporating findings of Final Supplemental Environmental Impact Report. (Supervisor Ward presented.) Referred to joint public hearing of August 26, 1991 at 3:00 p.m.

File 151-91-2.1

[Rincon Point - South Beach Redevelopment Plan]

Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental quality Act and the State guidelines in connection with the approval of the Amendment to the Rincon Point - South Beach Redevelopment Area. (Supervisor Ward presented.) Referred to joint public hearing of August 26, 1991 at 3:00 p.m.

File 151-91-2.2

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[California Nurses Association Union Representation]
Resolution urging management of the California Pacific Medical Center to recognize the California Nurses Association as the legitimate collective bargaining representative for the registered nurses at the California campus of the California Pacific Medical Center. (Supervisor Shelley presented.) Referred to Board August 26, 1991 For Adoption Without Committee Reference Calendar.

File 176-91-3

Referred to Committee

[Work Furlough]
Resolution authorizing the Sheriff to enter into contracts with appropriate public or nonprofit private agencies or private entities to provide a facility and services for the housing, sustenance, counseling, supervision and related services for inmates eligible for work furlough. (Supervisor Gonzalez presented.) Referred to Finance Committee with request it be considered at the August 21, 1991 meeting.

File 195-91-3

Report Requested;

Referred to Board

Report by Mayor's Director of Finance on the status of meetings in Sacramento regarding the cleanup legislation, ACA 35 and other financial matters that may concern the City and County. Scheduled for Board meeting of August 26, 1991 by direction of the President at the request of Supervisor Kennedy.

File 12-91-29.1

Requests for Hearings:

File 30-91-18, By Supervisor Maher: To consider mandatory testing programs to screen low-income children in San Francisco for lead poisoning and to identify new and existing sources of state and federal funding for these programs. Referred to Finance Committee.

File 207-91-4, By Supervisor Kennedy: To consider the alleged police harassment of Food Not Bombs. Referred to City Services Committee.

File 60-91-1.2, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition M, a referendum petition relating to vacancy rent control ordinance. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 60-91-2.2, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition L, the Phelan Loop Senior Housing Rezoning Ordinance. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

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File 60-91-6.1, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition Q, a policy statement relating to the military budget. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 60-91-7.1, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition K, an initiative petition relating to repeal of the domestic partners ordinance. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 190-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition G, a charter amendment concerning housing authority police. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 219-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition C, a charter amendment concerning civil service exams. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 220-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition D, a charter amendment concerning certification of eligibles. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 223-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition E, a charter amendment concerning discharge of permanent employees. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 225-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition I, a charter amendment concerning appointment of youth to city advisory boards and commissions. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 228-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition F, a charter amendment concerning military reservists pay. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 229-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition B, a charter amendment concerning collective bargaining. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

File 239-91-3, By Supervisor Ward: To consider rebuttal ballot argument concerning Proposition A, a charter amendment concerning early service retirement. Referred to Administration and Oversight Committee with request it be considered at the special meeting of August 23, 1991.

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Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 34-91-1. [Width of Sidewalk] Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Sections 1504 and 1505 changing the official width of sidewalk on the west side of Noe Street between Market and 17th Streets and also on both sides of Market Street from Duboce Avenue to Castro and 17th Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works). City Services.

File 45-91-47. [Settlement of Lawsuit] Authorizing settlement of litigation of California State Automobile Association against the City and County by payment of \$364,000 in three equal non-interest bearing installments. (City Attorney). Administration and Oversight.

File 45-91-48. [Settlement of Lawsuit] Authorizing settlement of litigation of Kenneth Holman and Watson Marquardt against the City and County by payment of \$17,500. (City Attorney). Administration and Oversight.

File 46-91-11. [Settlement of Lawsuit] Authorizing settlement of City and County of San Francisco v. Daniel Duke Chuck, Cynthia Velez, et al., upon receipt of the sum of \$7,500 and dismissal of complaint. (City Attorney). Administration and Oversight.

File 46-91-12. [Settlement of Lawsuit] Authorizing settlement of Sherman A. Ford v. Juan Esquivel, et al., upon receipt of the sum of \$16,000 and dismissal of complaint. (City Attorney). Administration and Oversight.

File 46-91-13. [Settlement of Lawsuit] Authorizing settlement of City and County of San Francisco v. Joseph Vincent Guillory, Victoria Guillory, et al., and Civil Service Employees Insurance Companies, Inc., v. City and County of San Francisco, Michael Reesink, Jose Robles, et al., upon receipt of the sum of \$15,000 and dismissal of complaint. (City Attorney). Administration and Oversight.

File 46-91-14. [Settlement of Lawsuit] Authorizing settlement of Sidney Campbell v. Michael Sweets, Alonzo Sweets, Ella Sweets, Fred Hill, San Francisco Boy's Home, Catholic Youth Organization, et al., upon receipt of the sum of \$11,000 and dismissal of complaint. (City Attorney). Administration and Oversight.

File 46-91-15. [Settlement of Lawsuit] Authorizing settlement of Anthony Hartzler v. Charles Robinson, Sally Robinson, et al., upon receipt of the sum of \$5,000 and dismissal of complaint. (City Attorney). Administration and Oversight.

File 74-91-1. [Tax Rate Setting] Providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1992. (Controller). Finance.

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File 74-91-2. [Tax Rate Setting] Providing revenue and levying taxes for San Francisco Unified School District purposes for the fiscal year ending June 30, 1992. (Controller). Finance.

File 74-91-3. [Tax Rate Setting] Providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1992. (Controller). Finance.

File 101-91-9. [Government Funding] Amending the Annual Appropriation Ordinance, 1991-92, File 101-91-2, Ordinance No. 303-91, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. (Controller). Finance.

File 115-91-9. [Nob Hill Special Use District] Amending City Planning Code, by amending Section 238 thereof, relating to eating and drinking uses, private clubs, awnings, canopies, and marquees, and finding consistency with the priority policies set forth in City Planning Code Section 101.1. (Department of City Planning). Economic and Social Policy.

Resolutions Referred to Committee

File 35-91-1. [26th Street - Dedicated Public Use] Approving map showing the opening of Twenty-Sixth Street between Treat Avenue and Harrison Street; declaring Twenty-sixth Street to be open public streets dedicated to public use, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works). Economic & Social Policy.

File 43-91-6. [Policy - Federal Census] Supporting the Mayor's action challenging the U.S. Commerce Secretary's refusal to revise the 1990 U.S. Census population figures, despite evidence that more than 5 million people nationwide were overlooked in the original count. (Health Commission). Economic and Social Policy.

File 89-91-16. [State Disability Insurance] Authorizing enrollment of Classifications A-104 Assistant Supervisor, Enforcement Division and 9761 Assistant to CAO II in the State Disability Insurance Program. (Employee Relations Division). Administration and Oversight.

File 93-91-11. [Memorandum of Understanding] Ratifying an extension of the July 1, 1990 - June 30, 1991 Memorandum of Understanding with Plumbers, Local 38 through June 30, 1992. (Office of the Mayor Employee Relations Division). Administration and Oversight.

File 146-91-37.1. [Grant - State Funds] Authorizing the Department of Health, AIDS Office, to accept and expend a grant of \$682,910 from the California Department of Health Services for HIV Care Consortia Grant Services under the Comprehensive AIDS Resources Emergency (C.A.R.E.) Disaster Relief Program, Title II, and to authorize the expenditure of grant funds to finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

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File 200-91-4. [Flower Market Permit] Approving the sale of the flower market permit identified as the "Market Street Flower Market Located on the south side of Market Street within 100 feet of the westerly line of 5th Street" to a qualified permit applicant pursuant to Article 5, Section 161(h), of the Public Works Code. (Department of Public Works). City Services.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that letter be sent to the Honorable Civil Service Commission inquiring what can be done to reinstate pay equity to Classifications 8116 Calendar Clerk and 8118 Legislation Clerk.

By Supervisor Hallinan, that letter of inquiry be sent to the Honorable Recreation and Park Commission to determine how the City missed the deadline for applying for County Fair funds and how it can be prevented from happening again.

By Supervisor Kennedy, that letter of inquiry be sent to the Director of Public Works to ascertain what action has been taken concerning a request to clean the sewer at 1227 Palou Avenue.

By Supervisor Kennedy, that letter be sent to Chief of Police to inquire as to the feasibility of increasing the Community Police Officers Program (CPOP) on Julian Avenue, between 14th and 16th Streets and Mission and Valencia Streets, because of high visibility of drug users.

By Supervisor Kennedy, that letter be sent to General Manager, Recreation and Park Department, inquiring whether it is feasible to create a park by Valencia Gardens (City-owned housing project).

By Supervisor Kennedy, that letter be sent to Director of Public Works inquiring whether the streets (Julian Avenue, between 14th, 16th and Mission and Valencia Streets) around the Valencia Gardens (City-owned housing project) can be cleaned.

By Supervisor Kennedy, that letter be sent to Director, San Francisco Housing Authority inquiring whether the area around and in the Valencia Gardens can be cleaned.

By Supervisor Kennedy, that letter be sent through General Manager, Public Utilities Commission to the Bureau of Light, Heat and Power to inquire whether additional street lights can be installed around the area of the Valencia Gardens (City-owned housing project).

By Supervisor Kennedy, that letter be sent to Executive Director, Department of Parking and Traffic to determine the feasibility of installing a Stop sign on Somerset Street at Wayland Street.

By Supervisor Shelley, that City Attorney prepare appropriate legislation protecting clients right to enter and exit health clinics without harassment and obstruction.

Monday, August 19, 1991

By Supervisor Shelley, that City Attorney prepare ordinance amending Police Code to redefine junk to exempt legitimate recycling centers and aluminum buy-back machines from requiring a junk yard permit.

By Supervisors Shelley, Alioto, Kennedy and Achtenberg, that letter be sent to Director of Health to inquire whether the Department would consider including in their data collection on toxic lead levels, blood lead levels on pregnant women receiving care at San Francisco General Hospital and in the district health centers and on children admitted to the pediatric unit at San Francisco General Hospital.

By Supervisor Achtenberg, that City Attorney prepare resolution urging the Municipal Court to increase the bail to \$100.00 for violation of California vehicle code section pertaining to vehicles parked in bus zones.

By Supervisor Alioto, that City Attorney prepare an opinion on altering the Master Plan to allow for purchasing of open space lands from the Open Space Fund.

By Supervisors Maher and Ward, that City Attorney prepare ordinance amending the Administrative Code which would eliminate the requirement that the Registrar of Voters record how individual members of the Board of Supervisors voted on the ballot arguments in the voter handbook.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Charles Garry (Supervisors Ward, Gonzalez)
Joseph Vaultz (Supervisor Kennedy)
Yasuji Matsui (Supervisor Maher)
Ron Kershaw (Supervisor Hsieh)

File 2-91-33

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:54 p.m. adjourned.

John L. Taylor, Clerk

Monday, August 19, 1991

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 4, 1992

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

26/91

Vol. 86

No. 34

Monday, August 26, 1991

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 16, 1991 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Doris M. Ward presiding.

CALLING THE ROLL

The meeting was called to order at 2:20 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Gonzalez, Hallinan, Hsien, Kennedy, Migden, Shelley, Ward - 8.

Noted absent at first roll call:

Supervisors Alioto, Britt, Maher - 3.

Quorum present.

Supervisor Alioto was noted present at 2:21 p.m.

Supervisor Britt excused, on official leave of absence.

Supervisor Maher was noted present at 2:21 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, December 10, 1990, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

SPECIAL ORDER - 2:00 P.M.

Monday, August 26, 1991

COMMITTEE REPORTS

Recommendations of Administration and Oversight Committee

Adopted

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument opposing Proposition B, collective bargaining.

File 229-91-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument opposing Proposition C, civil service rules.

File 219-91-3

Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole to the rebuttal argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Main motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument opposing Proposition D, certification of eligibles.

File 220-91-3

Supervisor Hallinan, seconded by Supervisor Migden, moved an amendment of the whole to the rebuttal argument.

Monday, August 26, 1991

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Main motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument opposing Proposition E, employee discharge.

File 223-91-3

Supervisor Hallinan, seconded by Supervisor Achtenberg, moved an amendment of the whole to the rebuttal argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Main motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument opposing Proposition G, housing authority police.

File 190-91-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Monday, August 26, 1991

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument opposing Proposition I, under 18 appointments.

File 225-91-3

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Ballot Argument]

Motion authorizing rebuttal to proponent's ballot argument in favor of Proposition K, domestic partners repeal.

File 60-91-7.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition L, Phelan Avenue use.

File 60-91-2.2

Supervisor Ward, seconded by Supervisor Kennedy, moved to amend the ballot argument by deleting "The Phelan Loop is not part of that transfer because City College did not request it."

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

Main motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

Monday, August 26, 1991

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition M, vacancy control.

File 60-91-1.2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Britt - 1.

[Ballot Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition Q, federal budget priorities.

File 60-91-6.1

Supervisor Migden, seconded by Supervisor Achtenberg, moved an amendment of the whole to the rebuttal argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Hsieh, Britt - 2.

Main motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley, Ward - 9.

Absent: Supervisors Britt, Hsieh - 2.

Supervisor Migden, seconded by Supervisor Maher, moved to direct the Clerk to address letter to the Registrar of Voters requesting her to place in the ballot pamphlet disclaimers which read substantially as follows: "A vote by a Supervisor for or against placing a ballot argument in the ballot pamphlet should not necessarily be construed as a vote for or against the ballot measure itself."

The motion was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

Monday, August 26, 1991

CONSENT CALENDAR

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$66,000, Sheriff Department, for professional services (Own Recognizance Project) - Prop J/CSC, for fiscal year 1991-92. (Controller)

File 101-91-5, Ordinance No. 321-91

Finally passed.

Passed for Second Reading

[Agreement]

Ordinance approving First Amendment to Option Agreement (to lease real property) between Redevelopment Agency and the City and County, acting by and through the Port Commission. (Port Commission)

File 172-91-8, Ordinance No.

Passed for second reading.

Adopted

[Authorization to Expend Private Funds]

Resolution authorizing Department of Public Works to accept \$9,800 monetary compensation from property owners for the higher cost of procuring and installing special ornamental streetlight poles in Upper Ashbury Undergrounding District 309, Phase 2B. (Department of Public Works)

File 52-91-2, Resolution No. 739-91

Adopted.

[Grant - State Funds]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for a grant in the amount of \$694,324 of Proposition 116 funds for Commuter Bikeway Improvement Program. (Supervisor Gonzalez)

File 192-91-2, Resolution No. 743-91

Adopted.

Monday, August 26, 1991

Recommendations of Administration and Oversight Committee

Finally Passed

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Jeffrey Charles and Bernard Charles against the City and County by payment of \$25,000. (City Attorney)

File 45-91-42, Ordinance No. 316-91

(Superior Court No. 901-492.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Mario Gonzalez against the City and County by payment of \$11,000. (City Attorney)

File 45-91-43, Ordinance No. 317-91

(Municipal Court No. 032-976.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Oscar Chulo against the City and County by payment of \$11,500. (City Attorney)

File 45-91-44, Ordinance No. 318-91

(Superior Court No. 922-122.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of United Public Employees, Local 790, AFL-CIO against the City and County by payment of \$35,000. (City Attorney)

File 45-91-45, Ordinance No. 314-91

(Superior Court No. 927-223.)

Finally passed.

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[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Raymond A. Koenig v. Southern Pacific Transportation Company, et al., upon receipt of the sum of \$12,500 and dismissal of complaint. (City Attorney)

File 46-91-9, Ordinance No. 319-91

(Superior Court No. 896-300.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Martha Rosales v. American Ambuvan Services., Inc., et al., upon receipt of the sum of \$20,000 and dismissal of complaint. (City Attorney)

File 46-91-10, Ordinance No. 320-91

(Superior Court No. 903-357.)

Finally passed.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Places of Entertainment and Cabarets]

Ordinance amending Police Code, relating to regulation of places of entertainment; relating to regulation of cabarets and staying any prior suspension or revocation currently in litigation.

(Supervisors Kennedy, Maher, Achtenberg)

File 121-91-4, Ordinance No. 325-91

(Amends Sections 1060, 1060.3, 1060.5, 1060.20, 1060.27, 1070.3, 1070.5 and 1070.17.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, August 26, 1991

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$500,000 for permanent salaries, related mandatory fringe benefits, subsistence-persons, office supplies, laboratory supplies, uniforms, automobile vehicles, communications and furnishings/furniture, for the creation of four positions, Sheriff Department for fiscal year 1991-92; placing \$312,250 on reserve. (Supervisor Gonzalez)

File 101-91-8, Ordinance No. 322-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Migden - 4.

[Public Employment]

Ordinance amending Ordinance No. 304-91 (Annual Salary Ordinance, 1991-92) reflecting the addition of four positions in the Sheriff's Office; companion measure to File 101-91-8. (Supervisor Gonzalez)

File 102-91-4, Ordinance No. 323-91

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Maher, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Migden - 4.

From Finance Committee Without Recommendation

Consideration Continued

[Government Funding]

Ordinance appropriating \$482,828 for other contractual services, Recreation and Park, for fiscal year 1991-92; providing for ratification of action previously taken; placing \$482,828 on reserve. (Controller)

File 101-90-99, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to continue consideration to September 9, 1991.

Motion to continue adopted by the following vote:

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Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Following a period of discussion, Supervisor Hallinan, seconded Gonzalez, moved to continue consideration to September 9, 1991.

Request Granted

Supervisor Gonzalez requested that the Clerk request the City Attorney to advise the Giants and the San Francisco Forty-Niners that the Controller wishes to conduct an audit of their financial records with regard to stadium advertising.

No objection, and Clerk directed to comply.

Supervisor Gonzalez requested that a letter be sent to the Recreation and Park Department requesting that the Video Agreement and its details be formally transmitted to the Board.

No objection, and Clerk directed to comply.

[Lease Amendment]
Ordinance approving Third Amendment to Stadium lease between City and County acting through the Recreation and Park Commission and the San Francisco Giants; companion measure to File 101-90-99.
(Recreation and Park Commission)

File 65-91-3, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to continue consideration to September 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

[Settlement of Unlitigated Claim in Favor of City]
Resolution approving settlement agreement (Giants), including an unlitigated claim in the amount of \$292,000 in favor of the City and County. (Recreation and Park Commission)

File 49-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to continue consideration to September 9, 1991.

Monday, August 26, 1991

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

[Candlestick Park - Parking Lot Agreement]

Resolution approving agreement between San Francisco Giants and the City and County acting by and through the Recreation and Park Commission for operation of the parking lot at Candlestick Park for baseball events. (Recreation and Park Commission)

File 63-91-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Gonzalez, moved to continue consideration to September 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Zoning Text Amendment - Bush Street Cottage Row]

Ordinance amending City Planning Code by adding Appendix K to Article 10, to provide for the establishment of the Bush Street-Cottage Row Historic District. (Department of City Planning)

File 115-91-8, Ordinance No. 324-91

(Approved by City Planning Commission Resolution No. 13116.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

From the President

Report Presented

Rina Cutler, Executive Director, Department of Parking and Traffic, appeared before the Board and presented a report on the functions and operations of the Department.

File 243-91-1

Monday, August 26, 1991

NEW BUSINESS

Recommendations of Finance Committee

Adopted

[Contract]

Resolution approving the contract between the City and County, Department of Public Health, and HHL Financial Services, Inc., to provide uncompensated care recovery services; providing for ratification of action previously taken. (Department of Public Health)

File 30-91-17, Resolution No. 738-91

Request Granted

Supervisor Kennedy requested that the Clerk of the Board send a letter to Department of Public Health stating that the Board did not appreciate the fact that the department was asking for approval of an agreement retroactive to 1989; that the Board does not feel that approving an agreement two years late is an appropriate way for a department to conduct business and that the department should comply with the requirements for timely conducting city business, as is expected of all city departments.

No objection and Clerk directed to comply.

Resolution adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Adopted

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a grant of \$2,787,546, which includes indirect costs in the amount of \$78,770 based on 10 percent of personnel costs, from California Department of Health Services, to continue funding the Master Grant Agreement Consolidated Funding Program and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services; providing for ratification of action previously taken; placing \$1,046,585 on reserve. (Department of Public Health)

File 146-91-61, Resolution No. 741-91

Adopted by the following vote:

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Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Adopted as Amended

[Grant - Federal Funds]

Resolution authorizing the Department of Social Services to apply for and accept a supplement of up to \$60,000 to a continuation grant from the Department of Health and Human Services, Office of Human Development Services; and to expend the originally authorized amount for year two in the amount of \$379,896 from the Department of Health and Human Services, Office of Human Development Services; waiving indirect costs; providing for ratification of action previously taken. (Department of Social Services)

File 153-91-6, Resolution No. 742-91

Supervisor Gonzalez, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "[Grant - Federal Funds] Resolution authorizing the Department of Social Services to apply for and accept a supplement of up to \$60,000 to a continuation grant from the Department of Health and Human Services, Office of Human Development Services; and to expend the originally authorized amount for year two in the amount of \$379,896 from the Department of Health and Human Services, Office of Human Development Services; waiving indirect costs; providing for ratification of action previously taken."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Recommendations of City Services Committee

Passed for Second Reading

[Towaway, Bus Zones]

Ordinance amending Traffic Code, prohibiting stopping in bus zones, defining vehicles parked or stopped in bus zones as obstructing traffic, thereby permitting the towing away of illegally parked or stopped vehicles from bus zones. (Supervisors Shelley, Achtenberg, Gonzalez, Alioto, Hsieh, Kennedy, Migden)

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File 124-91-5, Ordinance No.

(Adds Section 62A and amends Sections 59 and 71b.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Hsieh, Kennedy, Migden, Shelley, Ward - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Alioto, Britt - 2.

Adopted

[Permit Appeal]

Motion approving decision of Director of Public Works to issue a Minor Sidewalk Encroachment Permit to occupy and maintain the existing encroachment of six foot high wood fence at the Coso Avenue frontage of property located at 1 Elsie Street. (City Services Committee)

File 24-91-7

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

From the President

Report Presented

Report by Mayor's Director of Finance on the status of meetings in Sacramento regarding the cleanup legislation, ACA 35 and other financial matters that may concern the City and County. (Supervisor Kennedy)

File 12-91-29.1

Sam Yockey, the Mayor's Director of Finance, appeared before the Board and presented subject report.

Request Granted

Supervisor Gonzalez requested that the Clerk have the Legislative Policy Analyst send a detailed response to Forbes Magazine to counter inaccurate perceptions propagated by an article in its most recent issue, entitled "Self Destructive Lunacy", written by John H. Taylor, that suggests that the City of San

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Francisco is anti-business, and listing measures taken by the City of San Francisco that are pro-business and pro-jobs.) The Budget Analyst is also invited to participate.

No objection and Clerk directed to comply.

SPECIAL ORDER - 3:00 P.M.

(A Court Reporter was present and a transcript of the proceedings is on file in the Office of the Clerk of the Board of Supervisors.)

Joint Board of Supervisors/Redevelopment Agency

Hearing Held

[Public Hearing]

Public hearing on the proposed amendment for the Rincon Point-South Beach Redevelopment Project Area and its attendant documents.

File 151-91-2

(Proposed Redevelopment Plan Amendment, dated August 11, 1991.)

The Chair recognized Mr. Gary Kitahata, Acting President of the Redevelopment Agency, to jointly chair the public hearing. Ms. Patsy R. Oswald, Agency Secretary, stated the purpose of the meeting and called the roll. A quorum of the members of the Redevelopment Agency was present.

The Chair outlined the parliamentary procedure the Board would follow in conducting the hearing and read the Rules of Order applicable to the joint hearing.

Edward Helfeld, Executive Director of the Redevelopment Agency presented the Agency's position in favor of adoption of the amendment for the Rincon Point-South Beach Redevelopment Project Area:

The privilege of the floor was thereupon granted to the following persons:

Don Adreini, Staff Member, Foundation for San Francisco
Architectural Heritage
Maria Martinez

There being no additional persons who wished to testify, the joint public hearing was closed.

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Consideration Continued

[Rincon Point - South Beach Redevelopment Plan]

Resolution adopting Final Supplemental Environmental Impact Report, finding and determining that the proposed amendment to the Rincon Point - South Beach Redevelopment Plan will have significant impacts on the environment and adopting and incorporating findings of Final Supplemental Environmental Impact Report. (Supervisor Ward)

File 151-91-2.1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to September 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Rincon Point - South Beach Redevelopment Plan]

Resolution adopting findings of the Board of Supervisors of the City and County of San Francisco made pursuant to the California Environmental Quality Act and the State guidelines in connection with the approval of the Amendment to the Rincon Point - South Beach Redevelopment Area. (Supervisor Ward)

File 151-91-2.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to September 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

[Redevelopment Plan Amendment]

Ordinance amending Ordinance No. 14-81, amended by Ordinance No. 50-84, approving the Redevelopment Plan for the Rincon Point-South Beach Redevelopment Project Area by amending said plan to permit residential uses on two (2) parcels within the South Beach sub-area: Parcel I-1 (Oriental Warehouse and Palmisano parcels, located on First and Brannan Streets) and Parcel D, located on the northwest corner of Bryant and Beale Streets; permit office uses on Parcel C-1, located on the northwest corner of Folsom and Steuart Streets within the Rincon Point sub-area; increase the height limit on Parcels I-1 and I-3 from 105 to 160 feet; increase the residential density on Parcel F-1 (northeast corner of Bryant and First Streets)

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from 110 to 130 dwelling units per acre; allow accessory parking as a permitted use for the Oriental Warehouse; require the agency to impose fees, conditions and exactions to commercial office developers within the Rincon Point sub-area; include the Agency's housing participation policy; permit alternative land uses to be combined on the same parcel; and allow the Redevelopment Agency, on a short term basis, to lease any of its property for uses which are not in conformance with the adopted Redevelopment Plan.
(Redevelopment Agency)

File 151-91-2, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to September 9, 1991.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley, Ward - 10.

Absent: Supervisor Britt - 1.

COMMITTEE REPORTS

Recommendations of Administration and Oversight Committee

Adopted

[Memorandum of Understanding]
Resolution ratifying extension of 1989-91 Memorandum of Understanding with Transport Workers Union of America, AFL-CIO and Transport Workers Union, Local 250-A (for 9163 Transit Operators).
(Supervisor Gonzalez)

File 93-91-10, Resolution No.740-91

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Passed for Second Reading

[Staff Report]
Ordinance fixing schedules of compensation effective July 1, 1991, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class, by establishing the dollar value difference between vacation, retirement and Health Service benefits to be paid into the Transport Workers Union San Francisco Municipal Railway Trust Fund, incorporating by reference a Memorandum of Understanding, and by

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establishing conditions and benefits of employment other than wages for said classifications, provisions hereof to remain in effect until the adoption of any ordinance establishing different provisions. (Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.)

File 104-91-1

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

Adopted

[Transit Worker Compensation]

Motion extending to and including September 16, 1991, the date for passage for second reading, and extending to and including September 23, 1991, the date for final adoption of ordinances related to compensation for those employees whose compensation is subject to the provisions of Section 8.404 of the Charter. (Supervisor Hallinan presented as recommendation of Administration and Oversight Committee.)

File 104-91-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Maria Martinez;
Nita Garcia.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of

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suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Health Care Reform]

Resolution placing the San Francisco Board of Supervisors on record as supporting the emergency ambulance drive to Washington, D.C. for health care reform. (Supervisor Shelley)

File 13-91-23, Resolution No. 737-91

Adopted.

Withdrawn by Author

[California Nurses Association Union Representation]

Resolution urging management of the California Pacific Medical Center to recognize the California Nurses Association as the legitimate collective bargaining representative for the registered nurses at the California campus of the California Pacific Medical Center. (Supervisor Shelley)

File 176-91-3

There being no objection, Supervisor Shelley withdrew subject resolution from consideration by the Board.

Adopted

[Live/Work Condominium Project]

Motion approving final map of York Street Studios, also known as 2711 18th Street, a live/work condominium project, being a resubdivision of Lot 1 in Assessor's Block 4023; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-24

Adopted.

[Condominium Project]

Motion approving final map of 195 7th Street, a condominium project, being a resubdivision of Lot 32 in Assessor's Block 3726, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-91-25

Adopted.

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The foregoing items on the For Adoption Without Committee Reference Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the calendar was published (if the resolution is not printed on this calendar), and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-91-34, Resolution No. 732-91

(Jim Gonzalez, member, Board of Supervisors, September 5 - 21; Tom Hsieh, member, Board of Supervisors, September 6 - 8; Willie B. Kennedy, member, Board of Supervisors, September 28 - October 3 and December 11 - 16; Raymond Baxter, Director of Health, August 17 - 22; Alan Becker, member, War memorial Board of Trustees, August 24 - September 2; Henry Berman, member, Fire Commission, September 12 - 15; Arthur Coleman, member, Port Commission, October 10 - 13; Marie Acosta-Colon, member, War Memorial Board of Trustees, August 22 - September 1; Rina Cutler, Executive Director, Parking and Traffic, August 10 - 18; Joseph Driscoll, member, Retirement Board, September 3 - 17; Thomas Elzey, General Manager, Public Utilities Commission, September 29 - October 4; Allen Haile, member, Social Services Commission, August 20 - 22; Phillip Lee, member, Commission on the Aging, August 16 - 30; Julia Lopez, General Manager, Social Services, September 5 - 6; Harry Parechan, member, Health Service System, September 30 - October 2; Harry Parker III, Director, Fine Arts Museums, September 24 - 25; Juan Rios, member, Civil Service Commission, August 5 - 11; V. Fei Tsen, Vice President, Redevelopment Agency, August 19 - September 3; L.A. Turpen, Director of Airports, September 4 - 12; Patricia Underwood, member, Health Commission, August 14 - 19; Claire Zvanski, member, Health Service System, September 30 - October 2, 1991.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

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[Alamo Square/Buena Vista North Special Use District]
Resolution extending to January 1, 1992, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to establish the Alamo Square/Buena Vista North Special Use District.

File 81-90-2.6, Resolution No. 733-91

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Mission District]
Resolution calling upon the Mayor, the Redevelopment Agency and the Mayor's Office of Community Development to authorize a survey to investigate different methods of revitalizing the Mission District of San Francisco.

File 245-91-1, Resolution No. 736-91

Supervisors Kennedy, Gonzalez, Achtenberg, Hallinan, Migden, Shelley, Ward presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Gonzalez, Hallinan, Kennedy, Migden, Shelley, Ward - 7.

Absent: Supervisors Alioto, Britt, Hsieh, Maher - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Introduced by Supervisors

Referred to Committee

[Water Conservation]
Ordinance amending Building Code by adding Chapter 53B, to require installation of water conservation devices in existing commercial buildings, including tourist hotels and motels, upon title transfer or major improvement and in any event no later than three years from the effective date of this ordinance. (Supervisor Migden presented.) Referred to Economic and Social Policy Committee.

File 114-91-9

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[Warning Signs - Condoms]

Draft ordinance amending Health Code by adding Section 267, providing for point of retail sale condom warning signs. (Supervisor Migden presented.) Referred to City Services Committee.

File 118-91-7

[Water Conservation]

Ordinance amending Housing Code by amending Chapter 12A to require compliance with water conservation requirements by residential buildings of R-3 occupancy within three years. (Supervisor Migden presented.) Referred to Economic and Social Policy Committee for consideration on August 27, 1991.

File 188-91-8

Referred to Board

[Commendation]

Resolution commending and honoring Sally A. Brunn for her distinguished service to her City and community. (Supervisor Migden presented.) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

File 6-91-12

[U.S. Supreme Court Confirmation]

Resolution supporting the San Francisco Human Rights Commission's statement in opposition to the confirmation of Clarence Thomas to the United States Supreme Court. (Supervisor Hallinan presented.) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

File 13-91-24

Referred to Committee

[Seniors - Prima Facie Speed Limits]

Resolution determining that the City and County of San Francisco should implement a traffic regulation program pursuant to the Vehicle Code, and urging the Mayor to urge the Parking and Traffic Commission to urge the Director of the Parking and Traffic Department to post signs that warn drivers of "senior" crossing zones in areas used by seniors to visit senior facilities. (Supervisor Gonzalez presented.) Referred to Economic and Social Policy Committee.

File 20-91-13

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Referred to Board

[Rapid Shine Services]

Resolution urging the Mayor to urge the Parking and Traffic Commission and the Executive Director of Parking and Traffic to enter into a lease of five years with Rapid Shine Services at the Golden Gateway Garage. (Supervisors Kennedy and Ward) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

File 47-91-13

[Memorandum of Understanding]

Resolution ratifying wage freeze Memorandum of Understanding with Operating Engineers, Local 3. (Supervisor Gonzalez presented.) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

File 93-91-3

[Parking Fines]

Resolution memorializing the Municipal Court of the City and County of San Francisco to increase the fines for illegally parking in bus zones from \$25 to \$100. (Supervisors Achtenberg and Shelley presented.) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

File 124-91-5.1

[Peninsula Commute Service]

Resolution authorizing execution of an amended Joint Powers Agreement between the City and County of San Francisco, the San Mateo County Transit District and the Santa Clara County Transit District pertaining to future planning, oversight, and operation of the peninsula commute service. (Supervisor Hsieh presented.) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

File 172-91-16

Referred to Committee

[Ship Repair - Seven Point Plan]

Substitute resolution urging the Mayor to urge the Port Commission to adopt a Seven Point Policy Plan in support of the survival of the ship repair industry in San Francisco, and urging that such policies be implemented by the Mayor, Port Commission, and Executive Director of the San Francisco Port. (Supervisor Gonzalez presented.) Referred to Finance Committee for consideration on August 28, 1991.

File 173-91-4

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Referred to Board

[Marina District Liquefaction Study]

Resolution appointing a task force to make recommendations on how the City should respond to the findings in the Marina District Liquefaction Study. (Supervisor Hsieh presented.) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

File 174-91-6

Requests for Hearings:

File 75-91-3, By Supervisor Ward: To consider naming a street in honor of Terry A. Francois. Referred to City Services Committee.

File 107-91-4, By Supervisor Alioto: To consider the delays around moving the Department of Social Services General Assistance Program from 1440 Harrison Street to the Delta Dental Building. Referred to City Services Committee.

File 214-91-2, By Supervisor Ward: To consider Warsaw, Poland as a sister city. Referred to Economic and Social Policy Committee.

File 214-91-3, By Supervisor Ward: To consider Heidelberg, Germany as a sister city. Referred to Economic and Social Policy Committee.

File 244-91-1, By Supervisor Kennedy: To consider feasibility of placing public toilets throughout the Tenderloin and the Mission District. Referred to City Services Committee.

Referred to Board

File 98-91-2 Motion directing the Budget Analyst to prepare an analysis of conflict of interest cases declared by the Public Defender's Office. (Supervisor Gonzalez presented.) Referred to Board September 3, 1991 For Adoption Without Committee Reference Calendar.

Introduced by the President at the Request of Departments

Referred to Committee

File 45-91-49. [Settlement of Lawsuit] Authorizing settlement of litigation of Bernice Ferreira against the City and County by payment of \$6,000. (City Attorney). Administration & Oversight.

File 45-91-50. [Settlement of Lawsuit] Authorizing settlement of litigation of Verna McHenry against the City and County by payment of \$10,000. (City Attorney). Administration & Oversight.

File 45-91-51. [Settlement of Lawsuit] Authorizing settlement of litigation of Alie Beth Zandstra against the City and County by payment of \$50,000. (City Attorney). Administration & Oversight.

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File 45-91-52. [Settlement of Lawsuit] Authorizing settlement of litigation of James Brightman against the City and County by payment of \$15,000. (City Attorney). Administration & Oversight.

File 65-91-7. [Childcare Center, Lease Agreement] Authorizing negotiated lease agreement for childcare center at Southeast Community Facility located at 1800 Oakdale Avenue. (Real Estate Department). Finance.

File 124-91-6. [Holiday Traffic Regulation] Amending Traffic Code by adding Section 49 to Article 3, providing for November and December Holiday Parking and Traffic Regulations. (Department of Parking and Traffic). Economic & Social Policy.

File 124-91-7. [Parking Control] Amending Traffic Code by adding Section 32.6.15 regarding parking for state police vehicles only on Stevenson Street west of Brady Street. (Department of Parking and Traffic). Economic & Social Policy.

File 7-91-10. [Public Transportation] Approving the partial abandonments of service of Municipal Railway Lines J-Church, K-Ingleside, N-Judah, 15-Third, 31-Balboa, 45-Union/Stockton, and 90-Owl between approximately 1:00 a.m. and 5:00 a.m; companion measure to File 7-91-10.1. (Public Utilities Commission). Scheduled for Public Hearing before Board on September 16, 1991 at 3:00 p.m.

File 7-91-10.1. [Public Transportation] Disapproving the partial abandonments of service of Municipal Railway Lines J-Church, K-Ingleside, N-Judah, 15-Third, 31-Balboa, 45-Union/Stockton, and 90-Owl between approximately 1:00 a.m. and 5:00 a.m; companion measure to File 7-91-10. (Public Utilities Commission). Scheduled for Public Hearing before Board on September 16, 1991 at 3:00 p.m.

File 10-91-5. [Permit] Granting revocable permission to Levi Strauss and Company to install five (5)-inch conduits for communication, data and security purposes under Union Street, east of Sansome Street, connecting the Icehouse at 151 Union Street (Block 112, Lot 9) and the Levi Strauss Building at 1155 Battery Street (Block 107, Lot 7); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works). City Services.

File 14-91-1. [Garage Liens] Confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health). Scheduled for Public Hearing before Board on September 9, 1991 at 3:00 p.m.

File 25-91-27. [Contracting Out City Services] Concurring with the Controller's certification that uniformed security services can be practically performed by private contractor for Public Utilities Commission by a private contractor for a lower cost than similar work services performed by City and County employees. (Public Utilities Commission). Finance.

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File 27-91-5. [Airport - Rates and Charges] Making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1991 will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy; companion measure the File 27-91-5.1. (Airports Commission). To Finance Committee with Direction to Report to Board by September 9, 1991.

File 27-91-5.1. [Airport - Rates and Charges] Approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by the Airports Commission; companion measure the File 27-91-5. (Airports Commission). To Finance Committee with Direction to Report to Board by September 9, 1991.

File 38-91-10. [Acceptance of Gift] Accepting three gifts valued at \$25,593.09, for use by Recreation and Park Department (Strybing Arboretum Society, \$9,093.09, for miscellaneous gifts - plants, seeds, materials, supplies, intern students, banners, signage and conference attendance for use at the Strybing Arboretum and Botanical Gardens; Ikebana International, San Francisco Bay Area Chapter, \$9,500 for renovation of the Moonviewing Garden at the Strybing Arboretum and Botanical Gardens; and Pacific Gas and Electric, \$7,000, for the reproduction of the Recreation and Park Department's Summer 1991 Schedule of Classes and Activities). (Recreation and Park Department). Finance.

File 38-91-12. [Acceptance of Donation] Authorizing the San Francisco Juvenile Probation Department to accept an amount totalling \$19,151.36 donated services from the following donors (BiRite Corporation, Chevron U.S.A., Inc., Junior League of San Francisco, McKesson Foundation, Probation Officers Association, May and Stanley Smith Trust, Supervising Counselors Association, Volunteer Auxiliary of the Youth Guidance Center, and Youth Guidance Center Improvement Committee) to improve the food and upgrade food services at Juvenile Hall. (Juvenile Probation Department). Finance.

File 38-91-13 [Acceptance of Gift] Accepting a gift to the San Francisco Public Library of personal computer software and accessories, valued at \$17,535, from Lotus Development Corporation. (Public Library). Finance.

File 64-91-26. [Amendment to Lease] Authorizing lease of real property at 744 Harrison Street for offices for the Fire Department's Arson Squad. (Real Estate Department). Finance.

File 64-91-27. [Lease Extension] Authorizing extension of an existing lease of real property at 1155 Market Street for use by the Public Utilities Commission for office space for the Utilities Engineering Bureau and Hetch Hetchy and Power. (Real Estate Department). Finance.

File 87-91-1. [Grant - Federal Funds] Approving the 1991 Five-Year Combined Road Plan (formerly Federal ID Urban) Program in the City and County of San Francisco. (Department of Public Works). Economic and Social Policy.

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File 93-91-12. [Memorandum of Understanding] Ratifying Memorandum of Understanding with Building Material and Construction Teamsters Local 216. (Office of the Mayor Employee Relations Division). Administration & Oversight.

File 146-91-4.2. [AB 75 Capital Outlay Plan] Authorizing amendment to the AB 75 Capital Outlay Plan for the City and County of San Francisco, as adopted by Resolution No. 125-91, to delete one San Francisco "DPH Health Center/Department of Mental Health" project and to substitute in its place seven other San Francisco Department of Public Health/Mental Health Projects. (Department of Public Health). Finance.

File 146-91-50.1. [Grant - State Funds] Authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to expend a grant of \$283,000, which includes indirect costs in the amount of \$12,528, based on 5% of \$250,561 from the State Office of Mental Health, services, for consultation, education and information services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

File 146-91-65. [Grant - Federal Funds] Authorizing the Department of Health, AIDS Office, to apply for a continuation grant not to exceed \$2,500,000, which included indirect costs based on 20% of personnel costs, from the Department of Health and Human Services, Centers for Disease Control, to continue funding the AIDS Surveillance Project, and to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

File 146-91-66. [Grant - Federal Funds] Authorizing the Department of Health, Community Public Health Services, Special Programs for Youth, as subgrantee in collaboration with Larkin Street Youth Services, as prime grantee, to accept and expend a continuation grant of \$90,116, from the Department of Health Resources and Services Administration for Community Health Outreach for Youth, and to authorize the expenditure of grant funds to finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

File 146-91-67. [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health Services, Child Health and Disability Prevention Program (CHDP), to accept and expend an allocation of \$2,105,021, which includes indirect costs in the amount of \$169,679, based on 12% of personnel costs from the State Department of Health Services for Child Health and Disability Prevention Services, and to authorize the expenditure of grant funds to establish and finance Civil Service positions for the provision of these services. (Department of Public Health). Finance.

File 166-91-4. [Compromise of Tax] Authorizing the Tax Collector to collect the amount of \$3,750 for the personal property taxes listed and discharging said Tax Collector from accountability for collecting any taxes, penalties, or costs in excess of \$3,750. (Tax Collector). Finance.

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File 172-91-11. [Agreement Modification] Authorizing the modification of an agreement between the City and County of San Francisco and the San Francisco Child Abuse Council, Inc., to extend the current contract by six months from September 1, 1991 to February 29, 1992, in an amount not to exceed \$19,850, and granting the Department of Social Services a waiver on the retention of 5% administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institution Code. (Department of Social Services). Finance.

File 172-91-12. [Agreement Modification] Authorizing the modification of an agreement between the City and County of San Francisco and the Family Service Agency to extend the current contract by six months from September 1, 1991 to February 29, 1992, in an amount not to exceed \$18,574, and granting the Department of Social Services a waiver on the retention of 5% administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institution Code. (Department of Social Services). Finance.

File 172-91-13. [Agreement Modification] Authorizing the modification of an agreement between the City and County of San Francisco and the University of California, Fragile Infant Program to extend the current contract by five months from October 1, 1991 to February 29, 1992, in an amount not to exceed \$4,721, and granting the Department of Social Services a waiver on the retention of 5% administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institution Code. (Department of Social Services). Finance.

File 172-91-14. [Agreement Modification] Authorizing the modification of an agreement between the City and County of San Francisco and Charila/Catholic Youth Organization to extend the current contract by six months from September 1, 1991 to February 29, 1992, in an amount not to exceed \$27,385, and granting the Department of Social Services a waiver on the retention of 5% administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institution Code. (Department of Social Services). Finance.

File 172-91-15. [Agreement Modification] Authorizing the modification of an agreement between the City and County of San Francisco and the University of California, Infant-Parent Program to extend the current contract by six months from September 1, 1991 to February 29, 1992, in an amount not to exceed \$22,820, and granting the Department of Social Services a waiver on the retention of 5% administration costs allowable pursuant to Sections 18965-18970 of the Welfare and Institution Code. (Department of Social Services). Finance.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Achtenberg, that City Attorney prepare resolution declaring October 5, 1991 as "Defend all reproductive rights day" in San Francisco.

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By Supervisor Alioto, that letter be sent to the Department of Parking and Traffic inquiring into the possibility of installing a stop sign at the intersection of Turk and Baker Streets, on Turk.

By Supervisor Alioto, that letter be sent to the Director of the Department of Social Services inquiring into the possibility of establishing an "express lane" in the General Assistance program for people with AIDS and other disabling diseases to pass through more quickly. Many of these people are not capable of waiting in line for hours to receive or process their General Assistance payments.

By Supervisor Achtenberg, that letter of inquiry be sent to the Municipal Railway and the Public Utilities Commission regarding the issue of "deadheading" of Municipal Railway buses on Clipper Street in Noe Valley; regarding enforcement of speed limits on Clipper Street in Noe Valley.

By Supervisor Gonzalez, that letter be sent to the Director of the Department of Public Health and the Health Commission inquiring what plans the department is developing to respond to the high incidence of teenage syphilis cases documented in a front page article appearing in the Saturday, August 24, 1991, edition of the San Francisco Examiner.

By Supervisor Kennedy, that letter be sent to the Director of the Recreation and Park Department inquiring as to what the Department is doing to combat the problems at the Old Boy Scout Camp site (Bercut ring).

By Supervisor Kennedy, that letter be sent to the Mayor to request the Police Chief to replace the twelve police officers at Mission Station and to have more police foot patrols in the Mission District.

By Supervisor Kennedy, that letter be sent to the Superintendent of the Golden Gate National Recreation Area urging the continuance of the San Francisco Blues Festival at Fort Mason's Great Meadow and to reject the idea that the festival does not have a direct relationship to the history or the purpose of the site. A copy of said letter should also be sent to the Mayor, Representative Barbara Boxer, Representative Nancy Pelosi and Senator Cranston.

By Supervisor Maher, that City Attorney prepare an ordinance that institutes three-hour parking only from the hours of 8:00 a.m. to 5:00 p.m. in the Golden Gate Park.

By Supervisor Migden, that letter of inquiry be sent to the Executive Director, Department of Parking and Traffic, to determine the feasibility of installing stop signs at the intersection of Noe and 20th Streets and requesting appropriate background information.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Walter Pitts (Supervisor Ward)
Brian Coyle (Supervisors Britt, Migden)

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Stephen Steinberg (Supervisors Achtenberg, Shelley)
Harold Ouye (Supervisors Shelley, Ward, Maher)

File 2-91-34

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of
6:30 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by
the Board of Supervisors on the matters stated, but not
necessarily the chronological sequence in which the matters
were taken up.

Monday, August 26, 1991

May 18, 1992

Approved by the Board of Supervisors on _____

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



